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Unprecedented Response from Alberta's Nonprofits Yields Little Change for Flawed Bill

Alberta's nonprofits and charities are unimpressed with the small steps taken by an MLA committee that recommended changes to Bill 1, the proposed Lobbyists Act. After unprecedented levels of concerns were expressed regarding the impact Bill 1 could have on community-based groups and those they help, Tuesday's committee report is both puzzling and disappointing.

More than 160 nonprofits recommended changes for Bill 1 that would provide the desired transparency and accountability while also recognizing the collaborative way nonprofits actually work and the way in which they engage with government departments. The nonprofits' concerns were significant – but they were met with only a minor response.

"When nonprofits and charities communicate with government, it's on behalf of the individuals, families and communities they are designed to serve," says Katherine van Kooy, President and CEO of the Calgary Chamber of Voluntary Organizations (CCVO), which has 340 nonprofit members and supports the nonprofit sector by providing information, professional development and leadership on policy issues.

"Understanding and complying with the legislation will force nonprofits to take time away from their work. It will reduce their ability to attract high-level volunteers and staff, complicate their most innovative initiatives, and hinder the voice that they work so hard to try and give to their causes," explains van Kooy.

"Organizations are already struggling to respond to growing demands for their services and to cope with labour shortages and rising costs. Bill 1 will create an even more difficult and complex environment for nonprofits and charities to operate in."

Van Kooy and others believe the community price for this Bill is too high to pay, particularly when concerns regarding improper lobbying do not stem from the activities of nonprofits serving the public.

Some of the concerns raised by nonprofits and charities were partially reflected in the MLA committee's recommendations. For example, they recommended including a minimum threshold so organizations who do very little advocacy will not have to report. While the committee looked to Quebec's lobbying legislation when it determined the threshold level, it did not follow Quebec's lead and exempt all nonprofits working for the public good.

Members of the committee indicated it's simply too difficult to differentiate these nonprofits from those constituted to serve management, union or professional interests. Van Kooy finds it difficult to accept that suggestion, stating that the language for this exemption is already available.

Many of the concerns raised by nonprofits relate to the scope of the legislation. Bill 1 could require them to track and report on their communications not only with Ministers and other high-level decision-makers, but potentially with thousands of employees of the government, school boards, universities, health regions, and many other organizations in Alberta. If there is due cause for the administrative burden that will come from this, van Kooy states it has not been communicated to nonprofits.

At a time when organizations are expected to spend less time on administrative tasks and more on mission-focused work, this legislation will increase the administrative burden.

Combine this burden with the fear of potentially unmanageable fines, and van Kooy worries organizations may simply shy away from important advocacy work. “If nonprofits stop advocating to ensure a better future for families escaping violence, for groups providing cultural experiences, or for seniors living in poverty, who will do it for them?”

“The rules of the Bill are very complex,” says van Kooy. “Even if there is a thorough education campaign as recommended by the committee, organizations will still have to devote substantial time to understanding the rules, tracking their conversations and those of their Board members and associates, and providing reports if the 100-hour threshold has been met.”

“Is this really how Albertans want nonprofit organizations to spend their time?”

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More information:

- CCVO webpage on the Lobbyists Act: www.calgarycvo.org/LobbyistAct.htm
- Quebec's lobbying exemption for nonprofits: www.commissairelobby.qc.ca/en/lobbyists/lobbyist