

September 18, 2007

Mr. Harvey Cenaiko  
#612 Legislature Annex  
9718 107 Street  
Edmonton, AB  
Canada T5K 1E4

**RE: Bill 1, the Lobbyists Act**

Dear Mr. Cenaiko;

Alberta is blessed with 19,000 nonprofits and charities that contribute to Alberta's urban and rural communities in areas such as arts and culture, sports and recreation, education, environment, and human services for seniors, children, people with a disability, immigrants and other individuals.

The potential impact of Bill 1 on the nonprofit/voluntary sector and the communities it serves is a key concern for organizations in Alberta. As a leader on policy issues affecting the sector, the Calgary Chamber of Voluntary Organizations (CCVO) produced the enclosed *In Brief* to inform our 340 diverse member organizations and others in the sector about the potential impacts of Bill 1.

Importantly, *In Brief: Lobbying and Government Communications* also compares Bill 1 with other pertinent legislation governing the sector's lobbying and political activities, specifically, the Federal Accountability Act and the Income Tax Act. As our publication explains, registered charities in Alberta could soon have *three separate Acts* guiding their political communication and activities – and each Act comes with different rules, regulations and administrative requirements.

**While we recognize the need for transparency and accountability, we also see a need for nonprofits and charities to be supported in performing their essential services** within their urban and rural communities. With this in mind, we feel compelled to write and to express our concerns that, for many organizations, complying with the Lobbyists Act will:

- take human resources away from the delivery of essential programs and services, at a time when organizations are already struggling due to staff and funding shortages;
- negatively affect collaborations with other organizations as well as volunteer recruitment (particularly Board of Directors members);
- enable public office holders to favour some organizations over others;
- prevent organizations from providing donor anonymity;
- potentially impose penalties that are significantly disproportionate to the size and nature of nonprofit organizations; and
- cause an overall “chilling” affect by reducing the motivation to communicate with government about issues that are central to an organization's mission and to quality of life in Alberta

These concerns are elaborated on in the Joint Submission prepared by the Muttart Foundation and supported by 85 nonprofits (with at least 50 more endorsements still to come). The submission, endorsed by CCVO, provides specific examples of the points noted above. We ask that you take the time necessary to consider the cumulative impact the Lobbyists Act could have on the ability of organizations to provide programs and services to Alberta communities.

**We also ask that the Standing Committee step back and consider what problem Bill 1 was intended to solve.** Does the public worry that the local curling association has too much influence over government? What about the group that provides school lunches to children living in poverty, or that helps people overcome addictions and become contributing members of society? Are we improving life in Alberta by having these groups allocate human resources towards reporting on their lobbying activities, or requiring them to sever relationships with excellent volunteers or partners?

CCVO believes that Bill 1 was *not* intended to hinder the effectiveness of our province's community and human service providers, recreational and parks groups, and cultural experiences. If this is indeed the case, and for all the reasons listed on the previous page, we ask that **Bill 1 be amended so that it does not apply to nonprofit/voluntary-sector organizations, unless they employ a consultant lobbyist.**

There is precedence for this distinction. Alberta's Personal Information Protection Act (PIPA), for example, covers both for-profit and nonprofit organizations; however, the Act exempts the nonprofit sector in **all** areas except for their commercial activities (such as providing paid cultural awareness training to others). Through the distinctions made, PIPA recognizes the fundamental differences as to how and why nonprofit and for-profit organizations operate.

Should an outright exemption not be possible, alternative amendments include:

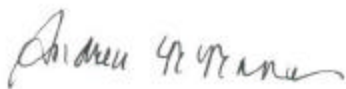
- o exempting only federally registered charities from the Act (rather than all nonprofits);
- o establishing a separate set of rules for nonprofit/voluntary organizations, removing some of the more burdensome aspects and narrowing the definition of what constitutes lobbying;
- o writing a threshold into the legislation (federally, it's 20% of one staff person's time)
- o narrowing the definition of "associates"
- o eliminating any fees payable under the Act for nonprofit/voluntary sector organizations

Alberta's economic success and quality of life depend on the availability and quality of nonprofit programs and services. It is often assumed that the community-based organizations that fulfill such essential roles will always be there. Unfortunately, many organizations are struggling to perform their role and face significant barriers to sustainability. Creating additional, significant barriers helps no one. The consequences would be most severely felt by the individuals, families and communities that the organizations are designed to serve.

We strongly believe that the need for transparency does not have to come at the expense of these groups. We hope that our *In Brief* as well as the Joint Submission will help provide you with important information and context regarding Bill 1 and its potential impact on nonprofits, charities and those they help.

We would be pleased to discuss this issue with you further. CCVO's President and CEO, Katherine van Kooy, can be reached at (403) 261-6655 or [kvk@calgarycvo.org](mailto:kvk@calgarycvo.org).

Sincerely,



Andrea McManus  
Board Chair

cc: Mr. Mo Elsalhy  
Rev. Tony Abbott  
Mr. Moe Amery  
Dr. Neil Brown, Q.C.  
Mr. David Coutts  
Ms. Alana DeLong  
Mrs. Heather Forsyth  
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