OFICE OF THE LOBBYIST REGISTRAR

Compliance Inquiry Procedures

1. **Definitions.** In these procedures:
   
   A. The definitions set out in § 140-1 of the Toronto Municipal Code, Lobbying (the Lobbying By-law) and ss. 33 and 34 of the Public Inquiries Act, 2009 apply.
   
   B. “Inquiry” includes a determination, examination, hearing, inquiry, investigation, review or other activity to which s. 33 or s. 34 of the Public Inquiries Act, 2009 applies.
   
   C. “Requester” is defined as City Council, a member of Council or a member of the public who makes a request for an inquiry about compliance with the registry system or Lobbyists’ Code of Conduct.
   
   D. “Respondent” is an individual or organization who is the subject of a request about compliance with the registry system or Lobbyists’ Code of Conduct.
   
   E. “Registrar” includes any person to whom the Registrar has delegated her powers and duties in accordance with the City of Toronto, 2006, s. 168(3).

2. **Inquiry.**
   
   A. A request for an inquiry about compliance with the registry system or Lobbyists’ Code of Conduct may be made by City Council, a member of Council or a member of the public, including the Registrar.
   
   B. The Registrar may initiate an inquiry based upon:
      
      (1) The information in the registry system and the recommendation of the Registrar’s staff; or
      
      (2) Information received from a member of the public, a member of Council or City Council.
   
   C. The Registrar may accept an anonymous request, if there are sufficient grounds to give the Registrar reason to believe that a breach of the Lobbying By-law has taken place.

3. **Information in request.**
   
   A. A request about compliance with the system of registration for lobbyists or the Lobbyists’ Code of Conduct, as set out in this chapter, from a member of Council or the public shall be made in writing to the Registrar.
B. The request shall include the information and documents relevant to the request and any forms, including an affidavit, that the Registrar may require for this purpose.

C. The requester shall provide additional information and documentation as required by the Registrar.


The Registrar conducts inquiries into matters relating to compliance with the registry and the Lobbyists’ Code of Conduct in private, unless:

A. The law, including this chapter, the City of Toronto Act, 2006 and the Public Inquiries Act, 2009 requires or permits disclosure of information; or

B. The Registrar deems it necessary to disclose information in order to further the inquiry into the matter.

5. Refusal to inquire

The Registrar may refuse to inquire into a request where, in the Registrar’s opinion, one or more of the following circumstances exist:

A. The request does not pertain to compliance with the system of registration or with the Lobbyists’ Code of Conduct or is otherwise outside the jurisdiction of the Registrar.

B. The subject matter of the request is trivial, frivolous or vexatious.

C. There are other adequate remedies available to the requester under the law or existing administrative practices that would more appropriately resolve the request, other than the laying of information for an offence under the Toronto Municipal Code, Chapter 140.

D. In all the circumstances of the case, an inquiry is not necessary.

E. Dealing with the matter would serve no useful purpose because of the length of time that has elapsed since the matter arose.

6. Criminal allegations.

If, on its face, the request concerns an allegation of a criminal nature consistent with the Criminal Code of Canada or an offence under any other Act, the requester shall be advised that if the requester wishes to pursue the allegation, the requester must pursue it with the appropriate police force or other authority.

7. Suspension and referral to appropriate authorities.

As required by section 169(7) of the City of Toronto Act, 2006, if at any time during the inquiry the Registrar determines that there are reasonable grounds to believe that there has
been a contravention of any other Act or of the Criminal Code of Canada, the Registrar shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to City Council.


A. If the Registrar decides to conduct an inquiry, the Registrar shall inform the respondent of the substance of the allegations and provide an opportunity to the respondent to respond to the allegations.

B. If the Registrar agrees to accept an anonymous request, the information disclosed shall be revised to the extent necessary to preserve anonymity.

C. The respondent shall be notified if the Registrar elects to exercise powers under s. 33 or s. 34 of the Public Inquiries Act, 2009.


A. The Registrar may conduct an inquiry in such a manner and to such an extent as in her opinion is necessary to determine whether there has been compliance with the registration system and the Lobbyists’ Code of Conduct.

B. The Registrar may speak to anyone who has information relevant to the request and request further information from the requester, the respondent(s) or from anyone who may have information relevant to the request.

C. Under subsection 169(2) of the City of Toronto Act, 2006, in conducting an inquiry, the Registrar may exercise the powers under s. 33 or s. 34 of the Public Inquiries Act, 2009 in which case those sections apply to the inquiry.

10. Notice of proposed findings

Upon completion of an inquiry and prior to making a final report, the Registrar may provide the proposed findings and sanctions to the respondent, together with an opportunity to respond either in person or in writing on the proposed findings and any recommended sanctions.

11. Report to Council

A. The Registrar may in her discretion report on an inquiry to City Council.

B. The Registrar may disclose in the report to council such matters as in the Registrar’s opinion are necessary for the purposes of the report.

C. The Registrar’s final report shall contain all findings, decisions, orders and recommendations made by the Registrar in relation to the inquiry, together with reasons.
D. In the final report, the Registrar may make any or all of the following orders:

1. Refusing to register a return;
2. Suspending or revoking a registration; or
3. Removing a return from the registry.

E. If as a result of the inquiry the Registrar decides to refuse to accept, suspend or revoke a return or other document under § 140-36A or B, the Registrar shall inform the individual who submitted it of the refusal, suspension or revocation in writing with reasons, in accordance with § 140-36C.

F. The Registrar may publish any reports to City Council on the Registrar’s website.

12. Prosecutions.

A. Despite any provision in this procedure, the Registrar may commence a prosecution under the Provincial Offences Act where the Registrar has reasonable grounds to believe that there has been a contravention of the Lobbying By-law.

B. If the Registrar commences a prosecution under the Provincial Offences Act for an offence under the Lobbying By-law, the Registrar may suspend or otherwise terminate the inquiry.

C. The Registrar may include information on prosecutions in the annual report to Council on the activities of the Office of the Lobbyist Registrar, subject to compliance with any confidentiality requirements.