



Notice no. 2005-02

February 3, 2005

This notice is issued and published by the Lobbyists Commissioner pursuant to section 52 of the *Lobbying Transparency and Ethics Act* (R.S.Q., c.T-11.011).

Subject: Interpretation of the expression “the issue of any permit, licence, certificate or other authorization” used in subparagraph 2 of the first paragraph of section 2 of the *Lobbying Transparency and Ethics Act*.

Website: www.commissairelobby.qc.ca

Subparagraph 2 of the first paragraph of section 2 of the *Lobbying Transparency and Ethics Act* provides that “[a]ny oral or written communication with a public office holder in an attempt to influence or that may reasonably be considered by the initiator of the communication as capable of influencing a decision concerning (...) (2) the issue of any permit, licence, certificate or other authorization, (...) constitutes lobbying or a lobbying activity within the meaning of this Act”.

To be governed by this provision, the permit, licence or certificate must be of the nature of an authorization sought essentially for obtaining a permission from a public, government or municipal administration to perform an act or carry on an activity that would otherwise be prohibited. Such authorizations include a certificate of authorization to operate an industry issued by the Government under the *Environment Quality Act* (R.S.Q., chapter Q-2), and a public house or “pub” permit issued by the Régie des alcools, des courses et des jeux. The authorization often takes the form of a permit, licence or certificate, but it may also take other forms such as a stamp, receipt or validation certificate or a registration, which are also governed by the Act.

Moreover, it is important to specify that an authorization is different from a simple recognition that involves no permission to perform an act or carry on an activity. For example, this is the case for birth certificates or certificates of conformity with statutes and regulations.

Finally, the simple fact of filing an application for a permit, licence, certificate or other authorization or of providing documents or information required for the processing of the application does not constitute lobbying activity.

André C. Côté
Lobbyists Commissioner