New registration thresholds for in-house lobbyists: Incoming stricter federal requirements

December 11, 2025

The Office of the Commissioner of Lobbying of Canada (the OCLC) has changed its interpretation of the registration threshold for corporations engaging in lobbying. The new threshold is much lower and only allows for eight hours of lobbying before a corporation is required to register with the OCLC.

By contrast, the previous "20 per cent rule" allowed for an organization to engage in approximately 32 hours of lobbying in any given month-long period without requiring registration.

What you need to know

- **The new registration threshold takes effect on Jan. 19, 2026.**
  - The previous "20 per cent rule" has been reduced to an 8-hour standard; an organization whose employees together spend eight hours in any given 4-week period on lobbying activities as defined in the *Lobbying Act* must register.
- **A broad scope of activities counts towards the threshold.**
  - The OCLC has clarified that time spent drafting letters, preparing briefing packages, editing materials, sending e-mails, or even making grassroots appeals to the public all count towards the 8-hour threshold.
- **There is a two-month registration deadline once the threshold is crossed.**
  - Upon crossing the 8-hour threshold, a corporation must register with the Registry of Lobbyists within two months.

The new interpretation

As of Jan. 19, 2026, a new interpretation will apply. Under this interpretation, a "significant" part of an employee's duties is synonymous with a "notable" or "noteworthy" part of their duties. The OCLC has decided that, in practice, this amounts to a threshold of eight hours or more dedicated to lobbying in any given 4-week period.

In determining whether this registration threshold is met, the OCLC considers the number of hours employees spend preparing for and participating in oral

communications with public office holders, as well as drafting written communications to public office holders for enumerated activities.

The activities that count towards this 8-hour cap include:

i. communications regarding the development of federal legislation;
ii. the introduction, modification, or defeat of any bill or resolution in the Senate or House of Commons;
iii. the making or amendment of federal regulations;
iv. the development or amendment of any federal policy or program; and
v. the awarding of any grant or financial benefit by or on behalf of the Government of Canada.

Importantly, hours spent preparing for and participating in oral communications within the above categories count towards the threshold, as do grassroots public outreach communications.

From the date that the threshold is met, the most senior paid officer in an organization must file an in-house registration return in the Registry of Lobbyists within two months.

Impacts on the lobbying industry

The Commissioner said that they believed the 20 per cent threshold was too high and it was inconsistent with the principles of transparency and accountability, potentially signalling heightened scrutiny on lobbying from the OCLC.

Moreover, the Commissioner also said that the federal *Lobbying Act* needs to be updated and modernized. This could suggest that there may be a push for other changes aiming at promoting transparency and accountability in federal lobbying.

Despite the call for further changes, the OCLC's interpretive change will have significant impacts for many organizations that participate in lobbying. Any organization that was operating near the registration threshold under the previous interpretation will have to either reduce their lobbying time significantly, or register with the Registry of Lobbyists.

Even organizations that only participate in lobbying in a very small way must be cognizant of the requirement to register. Just four employees working for two hours each on drafting, preparing for, and sending a communication anticipated by the Act will result in registration requirements for an organization.

Punishments for failures to register can be severe. Individuals responsible for registering an organization that crosses the 8-hour threshold can be personally liable for fines up to $200,000, or even a prison term up to two years in length.

BLG can assist

If you have any questions about this Insight or would like to discuss any other lobbying concerns, please do not hesitate to reach out to the key contacts below.

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