Canada's foreign influence registry is now in effect: Here's what you need to know

August 20, 2026

On Aug. 4, 2026, the *Foreign Influence Transparency and Accountability Act*, S.C. 2024, c. 16, s. 113 (FITAA), and *Foreign Influence Transparency and Accountability Regulations*, SOR/2026-152, came into force.

What you need to know:

- FITAA establishes a registration regime intended to increase transparency concerning foreign interference and influence in Canada.
- Individuals and organizations must register certain arrangements with foreign principals involving activities intended to influence political or governmental processes in Canada.
- The new Foreign Influence Transparency Commissioner (the Commissioner) will maintain a public registry of registered arrangements and report annually to the Minister of Public Safety and Emergency Preparedness for tabling before Parliament.
- Anton Boegman, formerly British Columbia's Chief Electoral Officer, is the first Commissioner.

What types of arrangements must be registered?

FITAA's central obligation requires an individual or organization to register an "arrangement," meaning an undertaking to carry out specified activities in relation to a political or governmental process in Canada under the direction of or in association with a foreign principal.

FITAA defines **foreign principal** broadly. The term includes:

- Foreign states and political subdivisions, groups of foreign states, and entities legally or de facto controlled or substantially owned by a foreign state or group of foreign states
- Foreign governments, entities exercising or purporting to exercise governmental powers over a foreign territory, and political factions seeking to assume the role of government of a foreign state

- Groups and associations of such foreign governments, including where a terrorist group is involved
- Anyone acting under the direction of, for the benefit of, or in association with such a government

The undertaking must involve one or more of the following **activities** in relation to a political or governmental process:

- Communicating with a public office holder
- Communicating or disseminating information related to the political or governmental process, including through social media
- Distributing money or other items of value
- Providing a service
- Providing the use of a facility

A **public office holder** is broadly defined to include:

- Representatives of federal, provincial, territorial and municipal governments and their staff
- Officers and employees of federal, provincial, territorial and municipal governments and public bodies, including departments, agencies, Crown corporations, commissions, boards and tribunals, as well as school board trustees, officers and employees
- Members and employees of a band council or aboriginal government

A **political or governmental process** may be federal, provincial, territorial, municipal or Indigenous. It includes:

- A legislative proceeding
- Developing a legislative proposal, amendment, policy or program
- A decision by a public office holder or government body, including a decision to award a contract
- An election or referendum
- Nominating a candidate or developing an electoral platform by a political party

What arrangements are excluded?

Arrangements in which a federal, provincial, territorial or municipal government in Canada is a party are exempt from registration.

Court and arbitral proceedings are also excluded. Federal, provincial and territorial judges are expressly excluded from the definition of "public office holder." Judicial processes before a court and private litigation proceedings are also not considered "political or governmental process" as discussed in the Commissioner's *Interpretation Bulletin: Application to Licensed Legal Professionals* and the Federation of Law Societies of Canada's *Notice to the Legal Professions*. Providing privileged legal advice is also not considered an influence activity.

However, legal professionals are still subject to FITAA. The Commissioner notes that legal professionals may be required to register arrangements involving activities such as:

- Representing a foreign principal in an engagement with a public office holder to secure financial support for a project.
- Responding on behalf of a foreign principal to a request for proposals or another regulatory, legislative or governmental matter.
- Meeting with a public office holder on behalf of a foreign principal to influence the development of a program, policy or regulation.
- Conducting an advocacy campaign on behalf of a foreign principal.

Representing a foreign principal in an administrative proceeding before a Canadian board, commission or tribunal is not exempted from registration under FITAA or the *Interpretive Bulletin*.

What information must be provided?

The regulations prescribe the information that must be provided, including:

- Identifying information about the individuals and organizations carrying out the activities in Canada
- Identifying information about the foreign principal
- Detailed information about the activities to be carried out

Providing false or misleading information to the Commissioner is specifically prohibited.

FITAA also does not displace other reporting obligations under the *Lobbying Act*.

When is registration required?

An arrangement must be registered within 14 days after it is entered into. Any change to the registered information must be reported within 14 days after the change occurs.

How is FITAA enforced?

The Commissioner may investigate potential violations of FITAA obligations and has the power to compel testimony and production of documents. Obstructing the Commissioner is an offence.

A violation may be addressed through an administrative monetary penalty (AMP) or prosecuted as an offence, but not both.

Under the AMP scheme, if the Commissioner has reasonable grounds to believe that a person has committed a violation, the Commissioner may issue a notice of violation setting out a proposed penalty. The recipient may pay the penalty or make representations to the Commissioner. If the recipient makes representations, the Commissioner will determine whether the violation occurred and, if so, whether to impose the proposed penalty. A decision finding a violation must be made public and is subject to judicial review in the Federal Court.

AMPs under FITAA range from $250 to $1 million.

If a violation is prosecuted as an offence, the potential penalties include a fine of up to $5 million, imprisonment for up to five years, or both. A due diligence defence is available.

BLG can assist

For more information about FITAA, its registration requirements or responding to a notice of violation, please contact one of the authors or a member of BLG's White Collar Criminal Defence and Corporate Investigations team.

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