

August 13, 2012

Chair and Members
Finance and Administrative Services Committee

Re: Appointment of an Integrity Commissioner and Establishment of a Lobbyist Registry

In order to be further transparent and accountable to the public, I respectfully request that the Finance and Administrative Services Committee recommend (a) the establishment of an Integrity Commissioner for the City of London and (b) the establishment of a Lobbyist Registry and that the Civic Administration be requested to bring forward the necessary policy and processes to implement these functions.

The *Municipal Act, 2001* states the following with respect to the appointment of an Integrity Commissioner:

Integrity Commissioner

223.3 (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to,

- (a) the application of the code of conduct for members of council and the code of conduct for members of local boards or of either of them;
- (b) the application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards or of either of them; or
- (c) both of clauses (a) and (b). 2006, c. 32, Sched. A, s. 98.

The *Municipal Act, 2001* states the following with respect to a Lobby Registry:

Registry

223.9 (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public office holders. 2006, c. 32, Sched. A, s. 98.

Requirement to file returns, etc.

(2) Without limiting sections 9, 10 and 11, those sections authorize the municipality to provide for a system of registration of persons who lobby public office holders and to do the following things:

1. Define “lobby”.
2. Require persons who lobby public office holders to file returns and give information to the municipality.
3. Specify the returns to be filed and the information to be given to the municipality by persons who lobby public office holders and specify the time within which the returns must be filed and the information provided.
4. Exempt persons from the requirement to file returns and provide information.
5. Specify activities with respect to which the requirement to file returns and provide information does not apply.

6. Establish a code of conduct for persons who lobby public office holders.
7. Prohibit former public office holders from lobbying current public office holders for the period of time specified in the by-law.
8. Prohibit a person from lobbying public office holders without being registered.
9. Impose conditions for registration, continued registration or a renewal of registration.
10. Refuse to register a person, and suspend or revoke a registration.
11. Prohibit persons who lobby public office holders from receiving payment that is in whole or in part contingent on the successful outcome of any lobbying activities. 2006, c. 32, Sched. A, s. 98.

Respectfully submitted,

Joni Baechler
Councillor Ward 5

Amend Council Policy 5(30) entitled "Code of Conduct for Members of Council" by adding the following:

F. CONFLICT OF INTEREST - GENERAL DISCLOSURE

1. Voluntary written disclosure

Accountable and transparent actions by members of City Council are important to instilling public trust. In an effort to be open and accountable, members of London City Council are encouraged to submit a voluntary written disclosure of the matters set out in subsection (2) below, to be filed with the City Clerk.

This policy does not circumvent or override the *Municipal Conflict of Interest Act (MCIA)* which outlines the duty of a member of City Council under the *Act*. It is the responsibility of each member of Council to be cognizant of the *MCIA* and the implications of non-disclosure.

2. Content and filing of voluntary written disclosures

A voluntary written disclosure made by a member of London City Council may be filed in the prescribed form with the City Clerk. The pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, shall be deemed to be also the pecuniary interest of the member and should be included in any voluntary disclosure. The voluntary disclosure may specify any or all of the following:

- (a) the name of each business or organization situated or carrying on business in Ontario and financially remunerating the member of City Council, child, parent or spouse, for services performed by the member in any capacity;
- (b) a description and location of land located in the City of London or adjacent to its boundaries in which the member of City Council, child, parent or spouse, owns an interest or has an agreement entitling the member of City Council, child, parent or spouse, to acquire an interest, excluding the member's personal residence;
- (c) the name of each business corporation in which the member of City Council, child, parent or spouse, is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public;
- (d) the name of each business corporation in which the member of City Council, child, parent or spouse, has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public; or
- (e) any other interest the member of City Council may wish to disclose not identified in (a) – (d).

3. No Penalty or Sanction for Non-compliance

The failure to make a voluntary written disclosure in accordance with this Council Policy is not subject to any sanction or penalty under the *Municipal Act, 2001*.