



MANITOBA LEGISLATIVE ASSEMBLY
Office of the Lobbyist Registrar
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Interpretation Bulletin

Gifts to Public Officials

The following section is added to *The Lobbyists Registration Act*, effective the day after the 2023 provincial election:

Prohibited gifts

10.1(1)

A consultant lobbyist or an in-house lobbyist must not, in the course of lobbying activities, give or promise any gift or other benefit to the public official being lobbied or expected to be lobbied.

Protocol and social obligations excluded

10.1(2)

Subsection (1) does not apply to a gift or other benefit that is given as an incident of protocol or social obligations that normally accompany the duties or responsibilities of the public official.

Prohibition on giving gifts

This new section applies to all consultant lobbyists and in-house lobbyists in the course of their lobbying activities. The section prohibits them from giving or promising to give a gift or benefit to a public official who they are lobbying or who they expect to lobby.

This prohibition applies whether or not the public official is permitted to receive or accept the gift or benefit.

Anyone who breaches this prohibition can be prosecuted and receive a fine of up to \$25,000.

Exception

The prohibition does not apply to gifts of a small or token value or that are customary under the circumstances. They should not be the sort of gift that would create or be seen by a reasonable person to create a sense of obligation on the part of the recipient.

The following are some examples of gifts that would usually be considered to be acceptable:

- promotional items of a minimal value (such as a pen or a mug)
- food or beverages (of a minimal value) offered during a meeting

Food or beverages offered at a reception may be acceptable, depending on their value and the circumstances of the event.

The following are some examples of gifts that would usually not fall within the exception and would not be acceptable:

- money in any form, such as cash, cheques, gift cards or gift certificates
- gift baskets
- tickets to events
- services provided at no cost or at a reduced cost
- payment or reimbursement of expenses, such as travel expenses

The above examples are not exhaustive and are dependent on the specific circumstances of the gift.

Further advice

This Interpretation Bulletin is intended to assist lobbyists in understanding and meeting their obligations under *The Lobbyists Registration Act*. However, it does not constitute legal advice and has no binding effect. Lobbyists are encouraged to obtain legal advice. Lobbyists may also ask the Office of the Lobbyist Registrar for advice on whether a specific gift may be given. Requests for advice must be in writing and sent to info@lobbyistregistrar.mb.ca.