



# Submission to the Standing Committee on Access to Information, Privacy and Ethics study on the statutory review of the Lobbying Act

Submitted by Universities Canada

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## Summary of recommendations:

1. Maintain the Commissioner of Lobbying's advisory opinion related to the academic sector, which appropriately distinguishes between institutional lobbying activities and independent academic work.
2. Clarify how the Lobbying Act applies to research institutes and centres that operate within universities and in partnership with universities, including communications with public office holders regarding funding opportunities or programs related to their research activities.

## Introduction

Canada's universities play an important role in supporting the government's evidence-based policy-making. Researchers and academics regularly share expertise with decision-makers through academic publications, advisory panels, parliamentary committee appearances and policy discussions. This work has not traditionally been considered a lobbying activity requiring registration.

To ensure transparency and that Canada's subject matter experts continue to contribute to public policy discussions, it is important that the Lobbying Act provides clear guidance for universities and the academic sector.

## Distinguishing lobbying from academic work

The Commissioner of Lobbying's advisory opinion related to the academic sector<sup>1</sup> recognized this distinction and provides important clarity on the differentiation of institutional lobbying and academic work. It notes that where a faculty member communicates an independent opinion on a matter of public policy but is not specifically paid by their employer or a third party to express that opinion, registration is not required. For example, a professor from a Canadian university who is invited by a parliamentary committee to provide expert testimony on a public policy issue based on their research is not required to register as a lobbyist.

Any review or revision of the Act should include the same distinction in order to preserve the ability to share knowledge between academics and decision-makers.

<sup>1</sup>Registration requirements related to the academic sector, Office of the Commissioner of Lobbying of Canada <https://lobbycanada.gc.ca/en/rules/the-lobbying-act/advice-and-interpretation-lobbying-act/registration-requirements-related-to-the-academic-sector/>





Maintaining the Commissioner of Lobbying’s advisory opinion related to the academic sector will ensure the Lobbying Act continues to distinguish appropriately between institutional lobbying and independent academic work. Preserving this clarity will support transparency while enabling researchers and academics to continue contributing their expertise to public policy discussions.

### **Clarifying the role of university research institutes**

Many universities host specialized research institutes or centres that operate with a degree of autonomy while remaining part of the university. In some cases, institutes may communicate directly with government officials regarding matters related to funding opportunities, research programs or policy issues related to their work.

However, uncertainty about lobby reporting can arise when these communications relate to the activities of the institute rather than the university more broadly. For example, some university-based research institutes engage with government officials to discuss funding opportunities for specific research projects. While the individuals involved are employees of the university, these communications are undertaken on behalf of the institute or centre rather than the university. In such cases, it may be unclear whether these activities should be reported as lobbying by the university given that employees represent the university by virtue of their positions, creating uncertainty in how the Act is applied.

Clarifying how the Lobbying Act applies to research institutes and centres that operate within universities would help address current uncertainty regarding communications related to institute-specific activities. This would support consistent interpretation of the Act and provide greater certainty for universities and their research partners.



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