



Democracy Watch
émocratie en surveillance

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Commissioner of Lobbying of Canada Karen Shepherd
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November 2, 2009

RE: Supplementary information for petition for investigation of, and rulings on, situation involving Minister of Natural Resources Lisa Raitt and Cement Association of Canada lobbyist Michael McSweeney

Dear Commissioner Shepherd:

Democracy Watch is filing this supplementary information in support of the petition it filed with you on October 21, 2009 requesting, under the provisions of the federal *Lobbying Act* (the *Act*) and the *Lobbyists' Code of Conduct* (*Lobbyists' Code*), an investigation of and ruling concerning the significant role (apparently on a volunteer basis) Cement Association of Canada registered lobbyist Michael McSweeney played in a fundraising event for Minister Raitt held on September 24, 2009.

According to the Public Registry for Public Office Holders under the *Conflict of Interest Act*, on October 9, 2009 Minister Raitt placed the following "Agreed Compliance Measure" statement in the Registry:

"I, Lisa Raitt, Minister of Natural Resources, have agreed not to participate in matters involving the Cement Association of Canada (CAC), or Mr. Michael McSweeney acting on behalf of the CAC, in order to prevent any conflict of interest, and in particular not to give preferential treatment to Mr. Mc Sweeney or the CAC. Any dealings between CAC and the Department of Natural Resources will be addressed by the Deputy Minister or such other person as may be designated by the Deputy Minister.

The statement can be seen at:

<http://ciec-ccie.gc.ca/ClientDeclarationPreview.aspx?DeclarationId=6088>

Given this statement, Minister Raitt has essentially admitted that the services provided to her by Mr. McSweeney for the fundraising event are a prohibited "gift" under the *Conflict of Interest Act* because the services could "reasonably could be seen to influence" Minister Raitt's decisions and create a private interest that puts her in a conflict of interest.

Therefore, Democracy Watch's opinion is that it is reasonable for you to conclude, and issue a ruling, that Mr. McSweeney has violated Rule 8 of the *Lobbyists' Code of Conduct*.

If you fail to issue such a ruling, Democracy Watch's opinion is that you will be failing to enforce the *Lobbyists' Code* properly and legally correctly.

Sincerely,

Duff Conacher, Coordinator
on behalf of the Board of Directors of Democracy Watch

Original to follow by mail