

Office of the Commissioner
of Lobbying of CanadaCommissariat au lobbying
du CanadaLEVEL 2 ADMINISTRATIVE REVIEW
MEMO TO CLOSE FILE

To Karen E. Shepherd
Commissioner of Lobbying

From Phil McIntosh
Director of Investigations

COMMISSIONER OF LOBBYING

SEP 13 2017

COMMISSAIRE AU LOBBYING

Security

PROTECTED B

File

ADM00828

Date

September 13, 2017

FILE NAME:	Aga Khan (the Aga Khan Foundation)			
DATE OPENED:	January 18, 2017			
RESPONSIBLE OFFICER:	François de Champlain	DATE ASSIGNED:	January 9, 2017	
LOBBYING TYPE:	Consultant	x	In-house (Corp.)	In-house (Org.)
SUBJECT	Prince Shah Karim Al Hussaini, Aga Khan IV			
EMPLOYER / CLIENT:	The Aga Khan Foundation Canada			
CONSULTING FIRM:	N/A			
DATE OF OCCURRENCE:	December 2016 -- January 2017			
DATE OF REFERRAL:	January 6, 2017	TYPE OF REFERRAL:	IM and C	
FIRST ALLEGATION:	Lobbyists' Code of Conduct	RULE:	8 (Preferential access)	
SECONDARY ALLEGATION:	Lobbyists' Code of Conduct	RULE:	10 (Gifts)	

ISSUE

Whether the Aga Khan was in breach of Rule 8 (Preferential access) and / or Rule 10 (Gifts) of the *Lobbyists' Code of Conduct* (2015) as a consequence of hosting the Right Honourable Justin Trudeau and his family on a private island in the Caribbean.

BACKGROUND**Media Reports**

On January 6, 2017, media reports stated that Mr. Justin Trudeau, Prime Minister of Canada, his family "and a few friends" had celebrated the new year on a private island in the Bahamas as guests of Prince Shah Karim Al Hussaini, known as Aga Khan IV, a religious leader.¹

¹ Tab 5-00 Akin, David, "Trudeau and family were New Year's guests of the Aga Khan on his private Bahamas island," *The National Post*, January 6, 2017

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Complaint

On January 11, 2017, [REDACTED], a private citizen, sent a complaint to the Commissioner related to this matter.² On January 16, 2017, the Directorate sent an acknowledgement letter to the complainant.³

The Aga Khan Foundation of Canada (AKFC)

The AKFC is a charitable organization which intervenes in the poorest regions of the world.⁴ His Highness the Aga Khan is listed as a member of the foundation's Board of Directors on the AKFC's website.⁵

The foundation has an active in-house (organizations) return in the Registry of Lobbyists. During the Prime Minister's vacation in the Bahamas, the Aga Khan Foundation of Canada had an active return.⁶ The Aga Khan is not registered as a lobbyist.⁷

METHODOLOGY

The following steps were taken during the course of the administrative review:

- a review of relevant documents, including:
 - the *Lobbying Act*;
 - the *Lobbyists' Code of Conduct*; and
 - Commissioner of Lobbying's Advisory Opinions on Board of Directors;
- a review of information that is publicly available, including:
 - the Registry of Lobbyists;
 - media articles; and
 - the internet; and
- an interview with:
 - [REDACTED] of the Aga Khan Foundation Canada.

ANALYSIS

The Directorate has found no evidence to indicate that Prince Shah Karim Al Hussaini, Aga Khan IV, is remunerated for his work with the AKFC and, therefore, that he was engaged in registrable lobbying activity during the Prime Minister's Christmas vacation.

Consequently, the *Lobbyists' Code of Conduct* does not apply to the Aga Khan's interactions with the Prime Minister.

RECOMMENDATION

The Investigations Directorate recommends that the administrative review be closed as there is no basis to conclude that the Aga Khan engaged in registrable lobbying activities, on behalf of the AKFC. The Directorate has a basis to conclude that the *Lobbyists' Code of Conduct* does not apply to the Aga Khan's interactions with the Prime Minister.

² Tab 2-10 Letter of complaint from [REDACTED], January 11, 2017

³ Tab 2-20 Acknowledgement letter to [REDACTED], January 17, 2017

⁴ Tab 5-20-5 Web search on the Aga Khan Foundation, January 10, 2017 and August 31, 2017

⁵ Tab 5-20-1 Web search on the Aga Khan Foundation, January 10, 2017 and August 31, 2017

⁶ Tab 4-00 Registry search on the Aga Khan Foundation, January 10, 2017 and August 31

⁷ Tab 4-00-9 and 10 Registry search on the Aga Khan Foundation, January 10, 2017 and August 31

The following wording will be published on the OCL website as part of the compliance statistics, pending your approval.

File Name	ADMR Opened	Source of Allegation	Lobbying Type	Allegation Type	ADMR Closed	BY Opened	Referred to RCMP	RCMP Response	IRV Closed	File Closed	Outcomes
Aga Khan (The Aga Khan Foundation Canada)	2017-09	IM and C	C	Preferential Access (Rule 8) / CRRs (Rule 10)	2017-09	N/A	N/A	N/A	N/A	2017-09	Unfounded - no evidence of payment. Code does not apply. Letter sent to complainant and alleged client

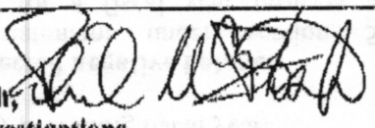
CONCLUSION: Allegation 1 -

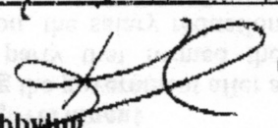
FOUNDED:		UNFOUNDED:	X	REASON UNFOUNDED :	No payment
COMPLIANCE MEASURE :	N/A				

CONCLUSION: Allegation 2 -

FOUNDED:		UNFOUNDED:	X	REASON UNFOUNDED :	No payment
COMPLIANCE MEASURE :	N/A				

Two letters (one to the complainant [REDACTED], and one to [REDACTED] of the Aga Khan Foundation Canada) are attached for your consideration.

Phil McIntosh, Director of Investigations	Date
	Sept. 13, 2017

<input checked="" type="checkbox"/> I agree	<input type="checkbox"/> I disagree
Please forward letter for signature	
Karen E. Shepherd Commissioner of Lobbying	Date
	Sept 18/17