Exploring the Influence of Big Tech Lobbying on Canadian Tech Policy

BALSILLIE PAPERS

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Around the world, dominant technology companies (Big Tech) leverage asymmetrical advantages to advance policy influence strategies that are rapidly reshaping policymaking environments. To explore the impact of this evolution on Canadian policy, this paper examines the limitations that impede effective policy influence oversight via Canada's Lobbying Act. The paper demonstrates the need for a comprehensive research agenda to better understand the evolving policy influence environment, and create policy options to strengthen oversight, restore public trust and advance balanced digital and AI policy.

INTRODUCTION

Around the world, dominant technology companies (Big Tech) leverage asymmetrical advantages to advance policy influence strategies that are rapidly reshaping policymaking environments. Seeking to advance a range of objectives — such as weakening or bypassing regulations, delaying implementation, blocking oversight,[1] shaping engagement processes, extracting economic opportunities and limiting liability — a growing number of "influence actors" employ interventions and resources that often appear designed to obscure the full scope, scale and nature of the "influence environment."

This evolution creates challenges for public interest actors seeking to monitor the impact of a policy influence environment that risks reinforcing existing asymmetries between public and private forces seeking to shape public policy.

To explore the impact of this evolution on Canadian policy, this paper examines the limitations that impede effective policy influence oversight via Canada's Lobbying Act. It then explores how investment in artificial intelligence (AI) is reshaping the current environment and introducing new policy influence actors and resources. It explores four case studies in which Big Tech sought to shape Canadian policy, illustrating how Canada's frameworks have become outdated, reactive and ineffective in balancing public and private voices. The paper demonstrates the need for a comprehensive research agenda to better understand the evolving policy influence environment, and create policy options to strengthen oversight, restore public trust and advance balanced digital and AI policy.

LITERATURE AND CONTEXT REVIEW

Lobbying allows corporate actors to reshape regulatory frameworks, capture economic advantages and limit oversight. To ensure voices informing policy are balanced, Canada's Lobbying Act seeks to promote transparency on interactions between lobbyists and public officials.

The Office of the Commissioner of Lobbying of Canada (OCL) oversees a federal registry that provides guidance on who is allowed to lobby, who must report, and how and when activities should be reported.[2] For example, Designated Public Office Holders, such as members of Parliament (MPs), senators and senior bureaucrats, who are well positioned to help companies navigate procedural and institutional asymmetries, are barred from lobbying for five years after they leave office.[3]

Despite these measures, public interest groups worry that opaque influence strategies — including those employed by Big Tech companies controlling asymmetrical power and platforms to shape public discourse — translate to lawmaking processes that structurally favour industry. Seeking to counterbalance these dynamics (often unsuccessfully), they advocate for reforms, stronger transparency obligations[4] and policy processes[5] that balance public interest.

Federally, Access to Information Act (ATIA)[6] legislation (which itself is out of date)[7] provides access to lobbying reporting.[8] Yet a review of Big Tech disclosures highlights how little we can discern about these interventions. For example, many records contain only "meta data" (such as company, department lobbied, categories, etc.), with little or no detail on positions and substance.[9] Conversely, many comparatively under-resourced public interest actors provide free or low-cost access to policy papers, usually online.

Additionally, ATIA allows only post hoc scrutiny, resulting in weak oversight in which the public gains access to rulings only after decisions are made, with no transparency on why or how decisions were taken.

These dynamics limit systematic assessments, create inconsistent application of rules and lead to incomplete data on policy influence interventions. The resulting "lobbying information asymmetry" makes it difficult to understand the nature and impact of contemporary lobbying.

Lobbying oversight has other significant shortcomings. The OCL has not formally charged any tech companies with violations. Canada has introduced neither US- nor EU-aligned obligations requiring dominant companies to disclose the astronomical growth in lobbying spending,[10, 11, 12] nor do obligations account for the widening scope of interventions and proxy actors seeking to influence policy. Asymmetrical disadvantages in access to resources, capacities and platform data make it difficult or impossible to detect lobbying violations and monitor how this environment is evolving beyond its scope. Moreover, enforcement mechanisms lack effective remedies that could dissuade improper, unreported and vague disclosures that obscure the policy influence environment.

Impact of Investment on Canada's Policy Influence Environment

Since 2017, Canada has invested heavily in AI, seeking to establish Canada as a global leader.[13] Investing $4.4 billion for research and commercialization,[14] Canada has helped finance a new cadre of industry actors seeking to shape public policy. For example, Build Canada — funded by major Canadian companies — successfully advocated to install 50 corporate leaders in government roles.[15]

Additionally, Canadian companies partner with and leverage Big Tech infrastructure, potentially leading to asymmetrical relationships that can obscure the source of policy influence interventions.

These investments expand the volume and nature of policy influence actors — industry associations, lobbying companies, AI institutes and AI lobbyist start-ups[16] — while accelerating financial, human and technological resources dedicated to shaping policy on behalf of technology companies. They also employ Big Tobacco, Pharma and Oil strategies[17] to block, weaken and capture policy at larger, faster and more insidious scales, using a complex array of actors that increasingly include "captured" academics and nonprofits.[18] Even when policies pass, efforts to reverse or weaken implementation continue via proxy actors such as the US Chamber of Commerce[19] or US trade negotiators.

In contrast, the government has not invested proportionally into resources or engagement opportunities to expand government capacity to monitor evolving policy influence environments or factor public interest into policymaking processes. Industry-friendly pressures will widen this gap as substantial global investments (e.g., US$67+ billion in the United States,[20] US$47+ billion in China, €200 billion in the European Union)[21] reinforce existing asymmetries.

Moreover, growing evidence of "digital astroturfing" in Canada[22] and abroad[23] reveals how Big Tech leverages — and sometimes deceptively mobilizes — small businesses,[24] "grassroots"[25] and "public" voices[26] to protest policies they disfavour. A March 2024 report by civil society groups monitoring compliance with the Digital Markets Act (DMA) found that in a series of workshops designed to consult with "communities affected by 'gatekeepers' … such as users, competitors, and businesses dependent on gatekeepers' services," more than 20 percent (848) of the 4000 participants, including "34 law firms, 22 lobby firms, 17 trade associations, 10 consultancies, and 8 think tanks"[27] failed to disclose affiliations with Big Tech, and engaged in the workshops to "distort the process, deflect criticism and create doubt."[28]

Policy discourse and failures also reveal an environment characterized by a widening gap between formal lobbying — as covered by the Lobbying Act — and a wider policy influence environment, including interventions falling outside the Act. Evolving tactics — digital astroturfing, aligning with opposition parties, politicizing policy debates — outpace current regulatory frameworks, leaving existing institutions poorly positioned to understand and respond to this rapidly evolving environment.

Together, these developments highlight the need to better understand lobbying as a strategic, systemic force embedded within a range of institutional contexts, a force that risks reinforcing existing asymmetries that already favour private interests.

METHODOLOGY

This study adopts a qualitative, multi-method approach to examine the influence of tech lobbying on Canadian policymaking and seeks to answer:

- how policy influence strategies extend beyond lobbying to shape policy outcomes; and
- how influence strategies risk widening the gap between private and public interests.

Using critical analysis, we explore four case studies to understand how policy influence strategies impact power dynamics, structural inequalities and societal implications. The study concludes with an analysis of recurring themes emerging from the literature review and case studies.

EVOLUTION OF POLICY INFLUENCE IN CANADA

Case Study #1: Artificial Intelligence and Data Act

Pressures were apparent during consultations for the Artificial Intelligence and Data Act (AIDA, C-27), in which tech giants lobbied for processes that prioritized industry voices and for voluntary, flexible, "pro-innovation" policies.[29] Arguably, the corporations also sought to weaken existing privacy frameworks.[30, 31] Importantly, under AIDA's industry-centred negotiations, AI oversight would have been the purview of the Ministry of Innovation, Science, and Economic Development, whose economic development mandate makes it poorly suited — and sometimes in conflict with — public safety concerns related to AI. There is arguably no Canadian institution positioned to balance these very different mandates, highlighting structural limitations in Canada's current ability to regulate AI.

AIDA's delays[32] and demise can be understood as partly stemming from industry-centric processes that failed to establish public trust, including among privacy actors and other groups opposed to blatant process and policy capture. In this context, private interests, political dynamics and public opposition intersected to undermine urgently needed reforms.

Indeed, lack of public trust helped create a win-win policy influence environment for tech companies favouring industry, in which the options were: outdated legislation no longer fit for purpose; or new legislation that undermines privacy and fails to protect the public interest. Such failures undermine trust in the government's ability to protect public interest and risks rendering it more difficult to advance policies over time, as policy debates become politicized.

Case Study #2: Online Streaming and Online News Acts

US tech companies such as Google, Amazon, Netflix and Meta invested heavily to block, shape, delay and weaken Canada's Online Streaming and Online News Acts.[33] Delayed or weakened regulations allow dominant players such as Netflix to maintain control over streaming markets, limiting choice, raising prices and suppressing competition, including from local innovators,[34] while deepening inequalities within asymmetric digital media landscapes.[35] The Online Streaming Act appears likely to become a victim of ongoing negotiations of the Canada-US-Mexico Agreement (CUSMA) negotiations. Meanwhile, companies such as Spotify and Netflix are fighting orders to pay five percent of Canadian revenue to fund local news.[36]

Efforts by lobbyists outside Parliament were palpable.[37] Lobbying by designated companies — Google and Meta — for the Online News Act[38] produced divergent outcomes. Google negotiated a CA$100 million cap, payable annually to Canadian news publishers, which arguably succeeded in ensuring compliance and predictable revenue streams for Canadian publishers.[39] While Google remains compliant, it is unclear if this arrangement will continue, posing risks to the viability of independent media in Canada. These

concerns only grow as publishers face devastating declines in revenue following Google's consequential introduction of AI summaries this year,[40] impacting their leverage as well as Canada's. Such changes highlight examples of how Big Tech abuses its dominant position to undermine publishers and public interest voices globally. A significant risk exists of such laws translating to US digital cultural imperialism.

By contrast, Meta rejected bargaining altogether and banned platform access to news[41] for 11 million Canadian Facebook and Instagram users.[42] Meta also amplified systems-wide campaigns on its platforms[43] to mobilize Canadians as pseudo-lobbyists in favour of Meta-friendly narratives and policies to attempt to reverse legislation.

Such tactics, in which tech companies leverage their own dominant platforms and use their economic heft to reject regulations, fall outside the Lobbying Act's scope and are consequently not monitored by government actors.[44] These dynamics highlight how structural misalignments in power limit Canada's ability to monitor and enforce domestic regulations on transnational firms,[45] while also illustrating evolving practices such as mobilizing platforms and their users to overturn legislation.

Additionally, 2024 lobbying reports reveal an increase in meetings with multiple federal agencies and MPs.[46] Increased engagement of bureaucrats signals attempts to exploit administrative discretion to shape favourable implementation outside the public spotlight, while avoiding higher scrutiny associated with elected officials.

This example illustrates how contemporary lobbying — including leveraging asymmetrical power, ignoring legal orders and pushing for delays — extends beyond traditional legislative arenas, operating across multiple levels of governance in which a range of institutional vulnerabilities can be exploited and in which the impact of multi-pronged policy influence strategies is difficult to assess. This evolution enables unprecedented dominance and undermines oversight, digital market competition and digital sovereignty. It also raises concerns about whether current institutions are capable of overseeing this widening scope of influence. Finally, it highlights that lobbying impacts cannot be fully understood without also considering other areas of law, such as competition law.

Case Study #3: Online Harms Act

A review of lobbying activities for the Online Harms Act (C-63) draws attention to factors demonstrating the challenges in understanding and comparing policy influence interventions under current legislation. Exploring lobbying by Salesforce, Google and LinkedIn — which took different approaches lobbying Canada on the Online Harms Act,[47] implying a high level of interest in shaping digital rules — several patterns emerge. These include inconsistent reporting and inadequate detail, which highlight how poor reporting guidelines impede impact assessment.

Through in-house and consultant lobbyists, Google reported lobbying on online content regulation,[48] in areas of justice, law enforcement, science and technology.[49] These reports suggest attempts to shield

mainstream platforms from Canadian content regulations and to constrain content moderation and recommender systems policies.

Notably, the majority of Google's in-house lobbying team previously held positions within the Canadian government.[50] This revolving-door dynamic raises potential conflicts of interest, as prior government experience — especially for mid-tier professionals who are not former Designated Public Office Holders and not subject to the same limitations on lobbying — can translate to significant impact. The former first secretary of Canada to the United States and chief of staff for the Office of the Opposition Whip are notable examples of lobbyists providing Google with insider knowledge of bureaucratic processes and contacts.[51] They further illustrate how corporate actors leverage institutional memory to amplify influence that risks exacerbating structural asymmetries.

Salesforce took a broader approach on C-63, lobbying on content regulation, procurement, trade and privacy, with implications for multiple government agencies and departments.[52] In its reporting, Salesforce lumped together multiple subjects — trade, procurements, law enforcement and access to information — while providing no details on the nature of its discussions. These practices can be interpreted as intentionally chosen practices aimed at obscuring the true agenda and impact of interventions.

LinkedIn's strategy employs consultant lobbyists whose Online Harms entries are also vague. For example, reports generically present "subject matters" as including "Arts and Culture, Industry, Justice and Law Enforcement, Media, Privacy and Access to Information," while for "details" they indicate "online harms, protection of minors and their data online."[53] These reports provide no meaningful insight into the scope, scale and nature of their recommendations, limiting the ability to assess impact. It reinforces the need for more rigorous guidance and standards for lobbyists. By including multiple subjects in single entries, lobbyists obscure — intentionally or otherwise — how departments are targeted and how lobbying seeks to shape policy outcomes.

These examples illustrate oversight limitations, providing the appearance but not the product of transparency. While recording interactions between companies and public officials, the registry often provides inadequate and inconsistent data on content, frequency, or influence of those interactions. Consequently, the public gains an incomplete understanding of how legislation affects privacy, freedom of expression, and democratic accountability, all of which impact daily experiences. These practices risk undermining policy-making integrity, while allowing powerful companies to advocate for reforms with minimal oversight.[54]

Case Study #4: Impact of Free Trade

Big Tech lobbying significantly reshapes the global policy influence environment, impacting not only domestic legislation but also international trade agreements, with consequences for domestic policy sovereignty. For example, CUSMA exports a version of controversial law Section 230[55, 56] of the US *Communications Decency Act (CDA)* to Canada, a clause routinely cited in court to avoid liability arising

from user-generated content.[57] Created for the broadcast era in 1996, this law was not designed with digital platforms, algorithmic amplification and deceptive practices at scale in mind.

By the early 2020s, Meta, Google and others had spent millions opposing CDA 230 reforms in the United States that would have increased their liability exposure.[58][59][60] Trade negotiations under Trump — which seek to limit Canada's policy sovereignty further — should be seen as part of a decades-long process of entrenching US tech dominance globally via trade agreements. Trump's use of trade negotiations can also be understood as illiberal tools intentionally employed to bypass public and parliamentary scrutiny on Big Tech's behalf.[61]

Meta goes further, arguing that Section 230 not only protects platforms from liability but also from impacts arising from algorithmic and design choices that enable harm.[62] Trade clauses are used to restrict domestic regulatory discretion, prohibit measures such as data localization[63] and limit platform oversight. These interventions reflect a broader strategy to maintain expansive legal shields that protect platforms from all forms of liability and accountability.

For Canada, the implications are substantial. Trade-linked lobbying has been associated with the delay and dilution of digital policy, while the United States has challenged Canada's Digital Services Tax (now withdrawn by Prime Minister Mark Carney, with nothing in return).[64] In this context, lobbying influence extends beyond parliamentary advocacy, becoming institutionalized through trade frameworks that have comparatively limited public oversight, while limiting Canada's ability to craft domestic policies addressing online harms and platform accountability.

This case, importantly, exposes how lobbying influence transcends national borders, transforming domestic regulatory norms into global constraints that can outlast political cycles. By embedding Section 230's philosophy of platform immunity into trade law, US tech firms effectively restrict Canada's policy sovereignty, narrowing the democratic space for independent decision-making in digital governance.[65] This dynamic highlights a deeper structural challenge, in which lobbying no longer merely shapes individual laws but defines the very rules and limits of policymaking itself.

Moreover, investment in anti-regulation lobbying in the United States by AI companies reached a staggering US$150 million in 2025 in support of "pre-emption,"[66] which failed twice legislatively but was enacted via executive order in December.[67] Pre-emption seeks to block states from passing and enforcing AI regulation for a decade. Given pressures experienced by the European Union[68] and the United Kingdom, Canada is surely facing pressures to block or significantly limit AI policy domestically.

DISCUSSION

Case studies illustrate how policy influence strategies have evolved, as Big Tech firms often avoid lobbying oversight, delay and obstruct parliamentary processes, capture lawmaking and implementation stages, limit

public access to services, and limit disclosures.[69, 70] These interventions become substantially more effective — and therefore more insidious — in contexts involving poorly understood technologies such as AI, in which companies leverage knowledge gaps to shape discourse, frame debates and exert influence over regulatory design.

The procedural dynamics of lawmaking amplify these advantages. Extended deliberations, regulatory delays and iterative consultations provide opportunities for corporations to assert influence before policies are finalized. Combined with the complexity of emerging sectors, this temporal leverage reinforces asymmetries between private actors, regulators and the public, who are comparatively under-resourced. As a result, Canadian digital governance is structurally vulnerable, allowing corporate priorities to shape regulatory frameworks at the expense of public interest.

Theme 1: Structural Misalignment and Governance Gaps

Case studies reveal a persistent structural misalignment between the rapid evolution of digital technologies and lobbying, and the capacity of Canadian governance to respond effectively. Institutional fragmentation, manifested through siloed ministries and agencies, hinders coordinated, multidisciplinary approaches necessary for regulating complex digital platforms. This lack of integration creates governance gaps that Big Tech firms exploit, leveraging superior networks, procedural knowledge and information asymmetries to influence policy outcomes.

Asymmetry of resources and expertise is particularly salient. The OCL[71] and provincial regulators as oversight bodies are significantly under-resourced relative to the scale and sophistication of global tech lobbying. These dynamics reflect structural vulnerabilities embedded within Canada's policy infrastructure, where unequal participation undermines democratic accountability. This misalignment perpetuates regulatory capture and entrenches the dominance of corporate networks, at the expense of public welfare and domestic competition in digital markets.

Additionally, the growing use of digital astroturfing to deceptively leverage community voices — small businesses, civil society and digitally engaged citizens — highlights practices to undermine policy through interventions that fall outside current regulations. Moreover, the lack of effective reporting guidelines has resulted in inconsistent and inadequate disclosure, which make it easier for tech companies to advance private interests over the rights of the Canadian public.

Theme 2: Legal and Regulatory Limitations

Canada's existing lobbying framework exhibits significant limitations in addressing evolving policy influence strategies employed by Big Tech. Current laws are reactive and ill-equipped to confront evolving digital lobbying interventions. Gaps arise from broad exemptions within federal laws such as the ATIA,[72] inconsistent enforcement and fragmented provincial standards.[73, 74, 75] This environment

enables corporations to exploit jurisdictional inconsistencies, evade full disclosure and navigate regulatory loopholes.

Trade agreements such as CUSMA seek to further constrain policy sovereignty by embedding provisions such as liability exemptions and AI pre-emption.[76] Such mechanisms institutionalize corporate protections, undermining efforts to ensure accountability and transparency, and illustrate a transnational form of policy capture.[77] These factors combine to impact broader legal and regulatory limitations, in which laws designed for a pre-digital era struggle to address the complex, cross-border challenges of contemporary digital governance.

CONCLUSION

The impact of complex policy influence strategies and asymmetrically resourced lobbyists undermines the ability of governments to understand and monitor the impacts of digital and AI platforms and enact policy to protect public interests.[78] In Canada, this outcome is a product of weak and poorly enforced lobbying regulations and by complex — often invisible — lobbying strategies that increasingly fall outside the scope of the Lobbying Act.

Big Tech and their lobby proxies — bolstered by AI investment — contribute to a growing range of both policy influence actors — Canadian companies, lobbyists, associations, lobbying AI companies and the public — and resources seeking to reshape Canadian policy. These practices and relationships can obscure the scope, scale and nature of influence in a rapidly evolving policy environment. These challenges are compounded by structural and capacity limitations within government — expertise gaps, siloed institutions and inadequate leverage — that intersect to create self-reinforcing imbalances favouring industry.

Case studies reveal two emerging themes: structural misalignment and governance gaps; and legal and regulatory limitations that underscore the persistent and structural asymmetries of power, resources and access characterizing the contemporary policy influence environment.

Effective policy must address structural imbalances embedded in regulatory and legislative processes. Reforms can include new, stricter and more detailed transparency and reporting requirements, enhanced enforcement mechanisms and capacity, and interdepartmental coordination to monitor complex lobbying campaigns. Intentional strategies to rebalance public interest and ensure effective inclusion of public voices can help prevent corporate exploitation of policy gaps while building the trust needed to advance resilient, publicly accountable regulation. A comprehensive research agenda is needed to understand the scope, scale and nature of this policy influence environment and its impact on Canadian policy, in order to modernize lobbying legislation and rebalance public voices in policymaking processes. This research will be produced in another paper by the authors.

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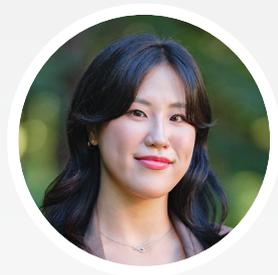
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