



Regulations and Legislation:

The Impact of Government on Intelligence

Monday, June 10, 2018



Agenda

- Introduction
- STEEP framework analysis
- Threats and Opportunities
- *Freedom of Information Act* requests
- Regulatory Affairs Competitive Intelligence



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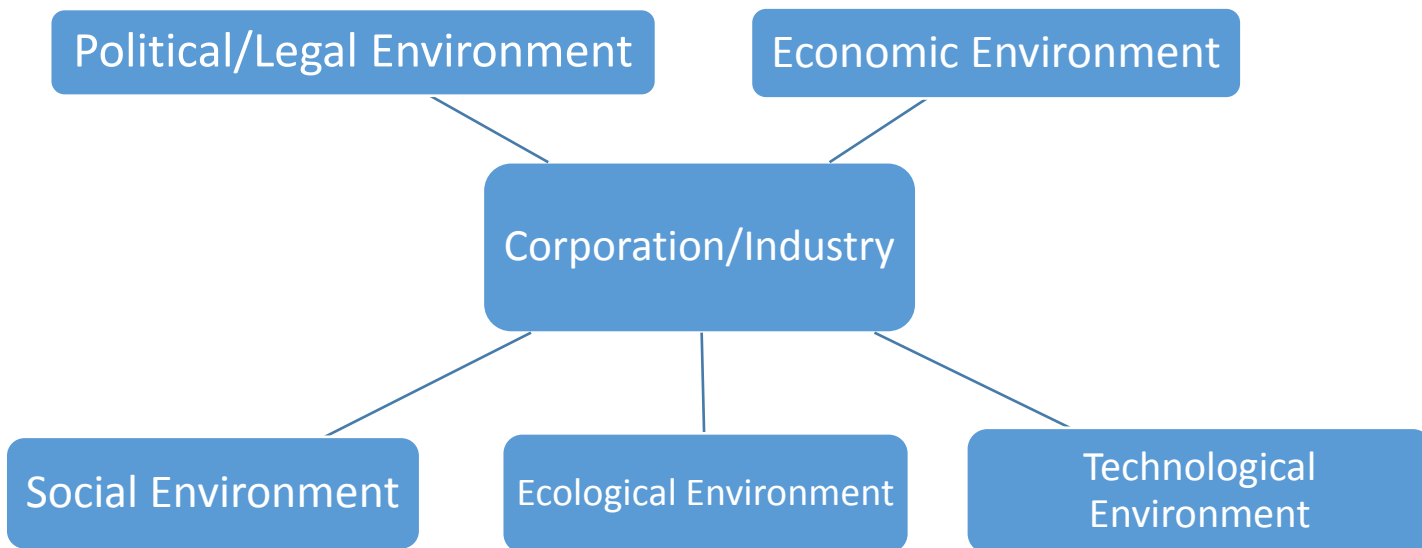


Intro: Gov Info can be a valuable source

- The government can prescribe how industries/companies operate and in what environment.
 - Legislation/regulation
- The government requires disclosure of certain information companies may prefer to keep private, and that disclosure is often made public (or can be).
 - IP Filings
 - Annual Reports
 - Natural resource development plans & projects
 - RFPs/Major Project Tenders (ex PPP)
 - Access to information requests
- The government collects and disseminates information on society.
 - Statistics
 - Parliamentary committee research
 - Public consultations



Using government information in a STEEP framework analysis





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Political/Legal Environment

- Government policy/sentiment
- Governmental Relations

Government info source:



House records, legislation & regulation



Social Environments

- Demographic & population changes
- Income & employment statistics

Government info source:



Censuses & Statistics

Ecological Environments

- Development projects/plans
- Ecological studies & data

Government info source:



Agencies & Departments

Technological Environments

- Patents & trademarks
- Infrastructure projects

Government info source:



IP Filings & Agencies/Departments

Economic Environments

- Consumer, economic, business and retail statistics
- Economic Indicators (GDP, exchange, inflation, interest, etc.)

Government info source:

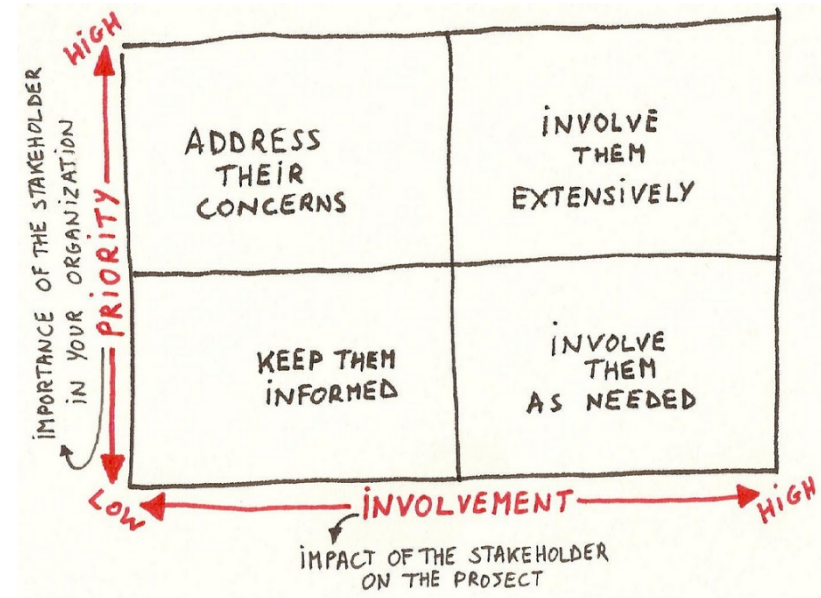
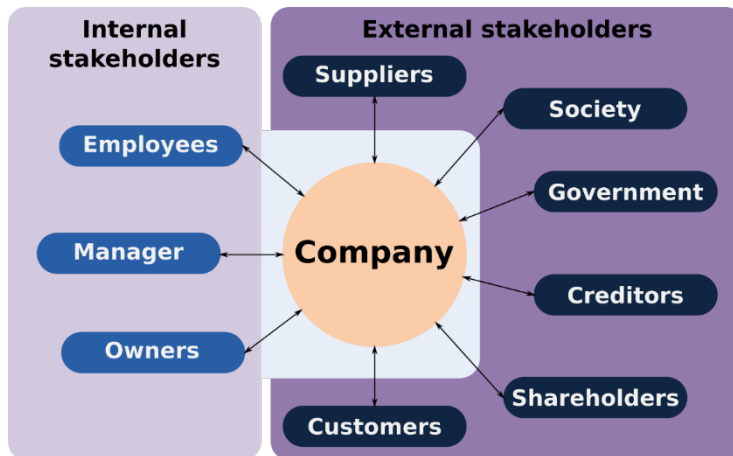


Censuses & Statistics

What are your favourite government sources for competitive intelligence?

Stakeholder Management

- Understand the position of ALL of your stakeholders
- Find collaborative solutions/opportunities
- Allows you to take the appropriate action



Freedom of Information Act Requests

- Determine who key players are inside and outside of government
- Be able to prioritize and plan actions based on government timelines
- See what competitors may be doing
- Uncovering alternative possible policy approaches considered

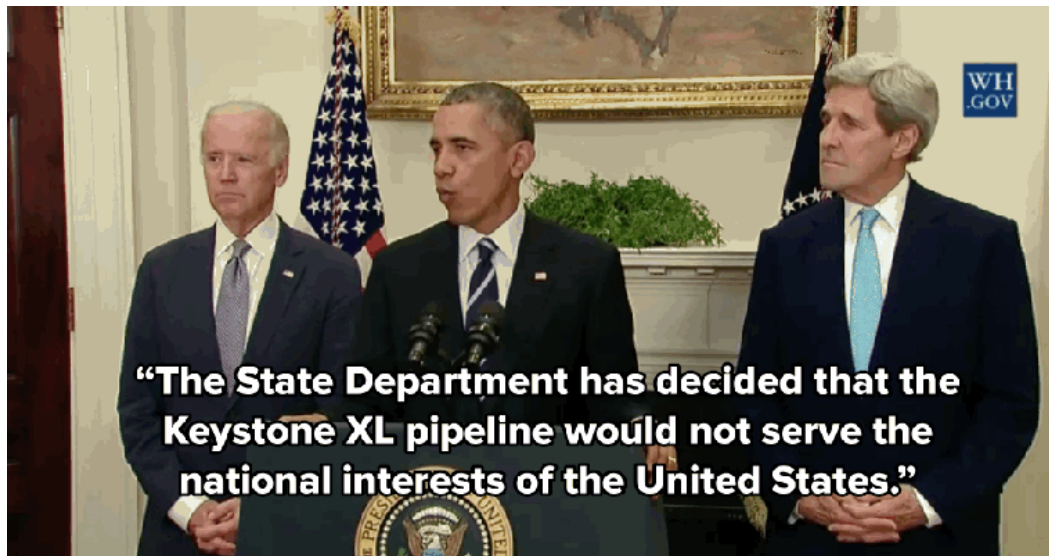
FOIA Requests – How To

- Determine your aims and objectives with regard to using the intelligence to be gathered - **Always start with Why?**
- Construct the appropriate text including:
 - types of records to be included
 - timeframe of request
 - any exclusions to be made.
- Follow-up with Department
- Be vigilant on timelines
- Know your rights



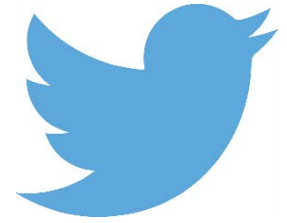
Public Consultations

- Affect legislative and regulatory change through grassroots campaigns
- Make a public statement



Reputation Management

How is your organization viewed by government?



Funding Opportunities

- Grants for programming
- Tax incentives/credits
- Industrial assistance
- R & D assistance



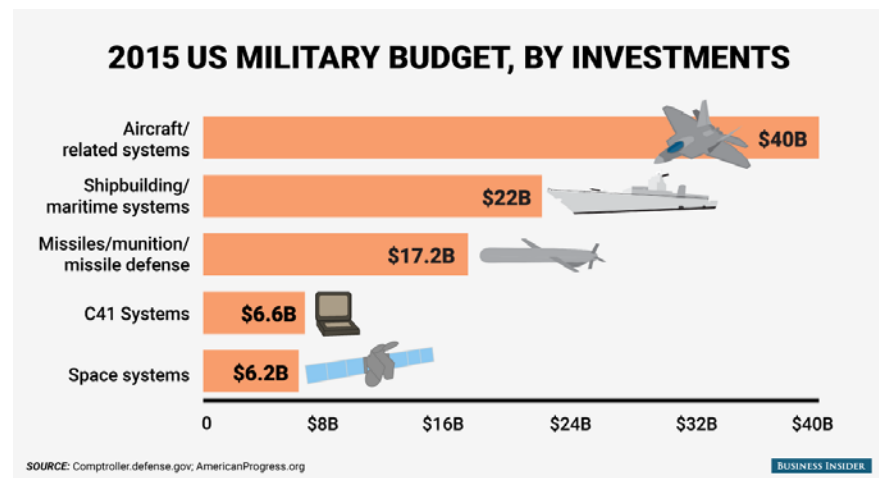
WATERLOOEDC
inventing the future

Procurement Opportunities

What Goods and Services are needed by government?

What are your competitors bidding on?

datalab.usaspending.gov





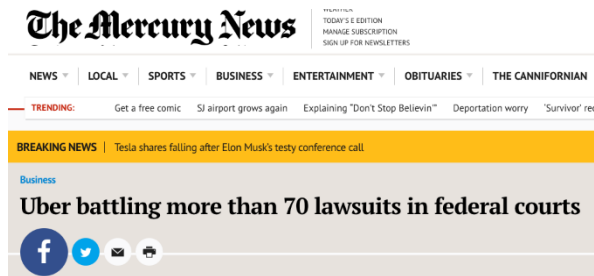
Why Regulatory Affairs Competitive Intelligence (RACI)?

- “Staying up to date with the ever-changing regulatory environment can be the difference between your business maintaining compliance and potentially facing steep ... penalties.” Martin Mucci, CRO, Paychex
- https://www.buzzfeed.com/johanabhuiyan/here-is-where-uber-and-lyft-are-facing-regulation-battles-in?utm_term=.qvM7mWywm#.sdqW5pL65
- Tech companies especially need to raise their RACI quotients...Tusk Ventures Founder Bradley Tusk has a message for the tech industry: “You can’t keep eating the world without pissing people off.” (Forbes, 12/22/15)



RACI Case Study: Uber

Uber keeps expanding wherever it can, but they also continue to run into regulatory roadblocks in some cities -- and also continues, of course, to draw the ire of local cab companies and other stakeholders.



HOME PRODUCTS ▾ LAWSUITS ▾ SETTLEMENTS

HOME / NEWS / THE REGULATORY BATTLES UBER FACES IN 2017

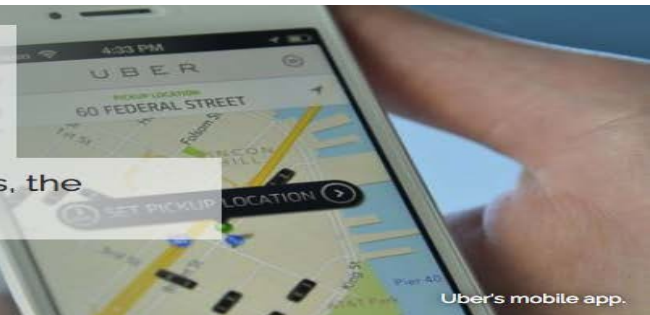
THE REGULATORY BATTLES UBER FACES IN 2017

NEWS FIX

As Regulatory Battles Continue, Uber and Lyft Win Some, Lose Some

Uber, competitors face regulatory battles in US

Drivers can't carry multiple passengers while charging individual fares, the Public Utilities Commission said



Uber's mobile app.



What is RACI?

- Most simply... it's *the application of intelligence methods, practices, processes, and research to regulatory issues* (Fleisher, 2017)
- Regulations impacting them may be economic and/or social
- Effective RACI can take advantage of regulatory opportunities, blunt threats





Some Key Corporate Battlegrounds in mid 2018 Where RACI Can be a Difference Maker

1. Sports betting/Daily fantasy sports	6. Protectionism
2. (Pretty much anything to do with...) Privacy	7. (Pretty much everything in...) Disruptive Digital Technologies like AI
3. Autonomous Vehicles/Driverless Cars	8. Cannabis
4. (Pretty much everything in...) Healthcare	9. (Pretty much anything to do with...) Financial Services
5. Short-term Home/Auto/Boat/Plane Rentals	10. (Pretty much everything in...) Employee/Employer Relations





The 10 RACI Activities Info Pros Can Help Perform

1. Analyze relevant intelligence findings in the context of current project activities and communicate impact to facilitate awareness of business critical issues
2. Catalyze and manage human intelligence, as well as regulatory affairs subject matter expert (SME) networks
3. Collect expert opinions and advice from regulatory affairs officials, planning, policy and strategy colleagues and disseminate it to key stakeholders
4. Conduct intelligence processes and communicate product specific information to regulatory (product) teams where requested
5. Develop effective and systematic approaches to RA data and information, and report activities





The 10 RACI Activities Info Pros Can Help Perform (6-10 cont.)

6. Organize, facilitate collection and submit comments on regulatory agency guidance
7. Produce intelligence reports and product/project status reports for distribution capturing internal and external regulatory information
8. Provide support to regulatory policy activities through research, data and information assimilation
9. Scan, monitor and track key developments from regulatory authorities, special interest groups, trade associations and other external stakeholders relevant to regulatory activities, and
10. Support internal groups and/or functions through collaboration of collection and distribution of specific RA information.





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The Key Organizational Processes RACI Links To...



- Change Agency
- Crisis Avoidance
- Decision-maker's Awareness
- Issue Anticipation
- Opportunity and Threat Detection
- Social Performance
- Stakeholder and Institutional Awareness





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Main Industries for RACI Use



Pumps & Valves



Consumer Goods



Marine



Food and Beverage

- Aerospace+ Defense
- Beauty Products
- Business Services
- Chemicals
- Construction
- Education
- Energy+ Utilities
- Financial
- Govt.+Nonprofit
- Healthcare+ Life Sciences
- Hospitality
- Media
- Manufacturing
- Retail+ Wholesale
- Software
- Technology
- Telecom
- Transportation

Source: C.S. Fleisher, *The SAGE Handbook of International Corporate and Public Affairs*, by Harris, P. and C. Fleisher, 2017, pg. 505.



What are the Key Benefits of Effective RACI?

1. Help your organization *anticipate* changes in the relevant, global regulatory space.
2. Astutely address forthcoming or *proposed actions of market rivals*.
3. *Learn* from another company's regulatory failures or successes.
4. More *quickly identify* and understand new products/services, regulation and/or technologies and position one's own to be better aligned with emerging trends.
5. Objectively *examine your organization's own regulatory response strategies* and tactics.





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