

AMENDING THE LRA

Your frequently asked questions and our answers about changes to the Act.

Whether you're a lobbyist who has worked as a public office holder, a public office holder who is considering a career as a lobbyist, or a current consultant lobbyist or an in-house lobbyist, you likely have questions about the new *Lobbyists Registration Amendment Act*.

Government first introduced the amendment on October 2, 2017; it received Royal Assent on November 30, 2017 but has not yet come into effect. The new legislation will ban former office holders and their senior staff from lobbying government for two years after leaving their government positions. It will also give the Registrar of Lobbyists the discretion to give an exemption from the two-year prohibition, if it is "in the public interest."

In addition, there is a new requirement for lobbyists to disclose the names of any staff person working in a minister or MLA's office with whom you have met with or spoken to as part of your lobbying work. This is in addition to the existing requirement that you disclose names of ministers or MLAs.



1. Who is considered a former BC public office holder?

Not all public officer holders who have left their positions are considered "former public office holders" under the LRA. Individuals who held **any** of the following positions, however, are considered former public office holders under the LRA:

- Ministers
- Ministers' staff, including chiefs of staff, ministerial assistants, executive assistants, and administrative coordinators
- Parliamentary Secretaries
- Deputy Ministers
- Chief Executive Officers
- Associate/Assistant Deputy Ministers
- Most senior or next most senior ranking executive positions in a "Provincial Entity," such as a Crown corporation, agency, or association

2. Who is not considered a former BC public office holder?

Individuals who have **only** held the following positions are not considered former public office holders:

- MLAs
- MLAs' staff
- Public servants who work in a ministry

3. What is the "cooling off" period?

The "cooling off period" refers to a two-year ban on lobbying activities for former public office holders, a period of time when they could potentially exercise some influence that they gained in their previous employment. For instance, if your employment as a public office holder ended on June 30, 2017, you would be prohibited from acting as a lobbyist until June 30, 2019, unless an exemption has been granted.

4. Why do I need to provide the names of Ministers' and MLAs' staff that I lobby?

Government has asked for lobbyists to specifically identify staff of Ministers and MLAs that you lobby as well as the Ministers and MLAs to increase transparency to the public.

5. I'm registered as a lobbyist and am a former public office holder. I left public office less than two years ago. What will I need to do?

Once the amendment comes into effect, you will be required to cease lobbying and terminate your registrations in the Lobbyists Registry. You will be able to apply to the Registrar for an exemption. We will communicate with any former public office holders who are currently registered and impacted by the two-year prohibition about next steps.

6. I'm a former public office holder. How do I apply for an exemption?

As the amendment states, you may apply to the Registrar for an exemption if your case is "in the public interest." After the amendment has gone into effect, the Registrar will make a determination on a case-by-case basis. Details about how to request an exemption will be available on our website at lobbyistsregistrar.bc.ca prior to the amendment going into effect.

7. When will the new legislation go into effect?

We do not yet know the date that this new legislation will go into force. However, we are doing all we can to prepare in advance, from modifications to the registry to consultation with lobbyists by phone and email. We will notify the lobbyists community on our website and via email as soon as the date the new legislation comes into force has been set.

More questions? Please contact us at info@bcorl.ca if you require any clarification.