

August 1, 2018

Registrar asks government to close loophole in *Lobbyists Registration Act*

VICTORIA—Registrar of Lobbyists Michael McEvoy published a letter to Attorney General David Eby concerning a significant loophole in the *Lobbyists Registration Act* (LRA) for certain former public office holders.

Registrar McEvoy issued five decisions to former public office holders who requested exemptions from the two-year cooling off period imposed by the LRA as of May 1, 2018. He also published Reconsideration 17-08. While considering these files, the Registrar identified a possible error within the LRA's definition of "former public office holder".

The LRA defines a "former public office holder" as "a former member of the Executive Council and any individual formerly employed in the former member's former office, other than administrative support staff..." (emphasis added).

This definition means that any individual formerly employed by a *current* member of cabinet would not fall under the two-year lobbying prohibition and would not be required to publicly declare past government connections.

"I suspect that the legislature did not intend to exclude these individuals from the definition of "former public office holders". Indeed, such cases represent the very mischief the legislation was designed to eliminate. But I can't ignore the Act's clear and unambiguous language, whether or not it accords with the policy intent of the legislature," said Registrar McEvoy.

The prohibition went into effect May 1, 2018, and allows former public office holders to request an exemption if they consider their lobbying activities to be "in the public interest."

To read the full letter to Attorney General Eby, visit <https://www.lobbyistsregistrar.bc.ca/publications/news/>.

To read the Exemption Decisions, visit <https://www.lobbyistsregistrar.bc.ca/reports/exemption-decisions/>

To read Reconsideration 17-08, visit <https://www.lobbyistsregistrar.bc.ca/reports/reconsideration-reports/>.

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