

INFLUENCING BC

January 2021, Volume 11, Issue 1

IN THIS ISSUE

[About the ORL](#)

[Registrar's message](#)

[Registry changes & new guidance documents](#)

[Frequently asked questions](#)

[Who's Lobbying Who: October, November, and December 2020](#)

[Investigation Reports & Reconsiderations](#)

ABOUT THE ORL

The Office of the Registrar of Lobbyists (ORL) carries out the mandate of the Registrar of Lobbyists under the *Lobbyists Transparency Act* (LTA). The ORL oversees, monitors, and enforces the LTA.

The LTA requires individuals and organizations who lobby public office holders and meet specific criteria to register their lobbying activities in an online public registry. You can search the Lobbyists Registry [here](#). The goal of the LTA is to promote transparency in lobbying and government decision-making by allowing citizens to know who is attempting to influence public office holders' decisions.

We publish *Influencing BC* to make lobbyists and members of the public aware of news related to lobbying in BC and the LTA.

Michael McEvoy is the Registrar of Lobbyists for BC.

REGISTRAR'S MESSAGE

Happy New Year! It's hard to believe it's been eight months since the 2018 amendments to BC's lobbying law came into force under the *Lobbyists Transparency Act* (LTA). I am pleased to report that lobbyists are gaining familiarity and comfort with the new legislation and registry. During this period my staff and I have continued to speak with stakeholders in the lobbying community. I want to underscore how much I appreciate our ongoing dialogue; it has helped us introduce improvements to the Registry and our guidance documents. In turn, it supports the goal of compliance of lobbyists with the LTA. The feature below outlines changes to the Registry and updates to our library of [guidance documents](#).

Many of you have asked if you need to wait until the 15th of the month to register your lobbying activities. While the 15th is the deadline, you can in fact enter them as you lobby and we encourage lobbyists to enter lobbying activities before the 15th. That way, if any questions arise, there is time for ORL staff to assist you.

I also want to remind lobbyists that Ministry names have changed following the recent provincial election. Please ensure that you update your Registration Returns accordingly, selecting the new Ministry names in Step 7 of 7 of your Registration Return (Public Agencies and Members of the BC Legislative Assembly) and removing the incorrect names (just click on the “x” behind the former Ministry names in your list).

Thank you for transitioning to the new Registry, and for your patience as our team responds to your queries. Please contact us at info@bcorl.ca if you have any questions or comments.

Michael McEvoy, Registrar of Lobbyists for British Columbia

REGISTRY CHANGES & NEW GUIDANCE DOCUMENTS

In response to your feedback, we have made some changes to the Registry to make it more user friendly. We have also updated our guidance documents to help you comply with the LTA. This guidance is available on our [website](#), 24/7, to answer any additional questions you may have. Here are some recent changes, new releases, and updates:

Lobbyists Registry changes

- 1. We moved the “effective date” questions to the start of the registration process**
Effective date questions, which refer to the start date of your Registration Return (if you are registering for the first time) or the date of updates to your Registration Return (if you are submitting an update) have now been moved to the beginning of the registration process.
- 2. We streamlined the process of declaring political, sponsorship and recall contributions**
The *Lobbyists Transparency Act* requires lobbyists to declare whether they have made a political, sponsorship and recall contribution **only** when they have lobbied or expect to lobby an MLA, Minister, or the Premier. If you indicate that you have lobbied or expect to lobby an MLA, the Premier, or a Minister, you will now need to answer a few simple questions. For more details, see [How to Report Political, Sponsorship, and Recall Contributions in the Lobbyists Registry](#).
- 3. We simplified the process of reporting government funding**
Now, whether you declare funding received as a one-time funding event or as funding received over a period of time, you must enter the start and end dates of the funding. If you are declaring one-time funding, you will enter the same date for both the start and end dates. For more details, see [How to Report Government Funding in the Lobbying Registry](#).

New and updated guidance documents released

The ORL website now offers 26 guidance documents to assist lobbyists with understanding their obligations under the LTA. The following guidance documents are new, or have been recently updated:

- [How to Report Government Funding in the Lobbyists Registry](#) outlines the new options for lobbyists that need to report government funding, whether they are updating previously declared government funding or declaring funding for the first time.

- The **updated [Government Funding guidance](#)** further explains the LTA requirements for lobbyists to report information about government funding received or requested.
- The updated **[Political, Sponsorship, and Recall guidance](#)** further explains the LTA requirements for lobbyists in relation to political contributions, sponsorship contributions, and recall contributions.
- The new **[How to Report Political, Sponsorship, and Recall Contributions in the Lobbyists Registry](#)** clarifies the new reporting requirements for lobbyists and explains recent updates to the Registry.
- The updated **[Provincial Entities](#)** guidance defines the term provincial entity under the LTA. **It also** answers questions about reporting lobbyists activities with provincial entities, such as crown corporations, school districts, public sector post-secondary institutions, and health authorities.
- The updated **[Coalitions](#)** guidance defines the responsibilities of lobbyists and organizations under the *Lobbyists Transparency Act* (LTA) in regards to coalitions. It outlines reporting requirements for organizations that are coalitions and reporting requirements for organizations that are members of coalitions.

A word about COVID-19 funding: We've received many questions about whether organizations or clients of consultant lobbyists are required to report funding received from other levels of government and other jurisdictions during COVID-19. The short answer is, "it depends." There are many programs designed to provide financial support to businesses and organizations struggling with the challenges of COVID-19. Some COVID-19 funding programs qualify as "government funding" for the purposes of the LTA. The Canada Emergency Wage Subsidy (CEWS) and the portion of the Canada Emergency Business Account (CEBA) funding, that you are not required to repay, are the two most common programs for which funding must be declared. If, after reading through the [guidance](#) and [FAQs](#), you are not sure whether the funding you receive must be reported, please email our office with a brief description of the circumstances and your request for further guidance.

All of the Registrar's guidance documents can be viewed on our website [here](#).

FREQUENTLY ASKED QUESTIONS

*Have a question, but can't find the answer here or in our online [FAQs](#)? Try entering a keyword phrase in the new search box on the [FAQ homepage](#). We have also added a number of new FAQs on government funding to the FAQ page. Below are a few of the most common questions we've received since the last issue of *Influencing BC*.*

Lobbyists registration

Do I need to wait until the 15th of the month to complete my Monthly Return, or can I complete it as I go?

This is a common misconception, so we are glad you raised this question. The deadline for completing the Monthly Return is the 15th of the month and that is the date you must submit your Monthly Return by in order to be compliant with the LTA. However, you can complete it before then. In fact, we recommend that you do so, in case any issues or questions arise that you need to discuss with us.

Government funding

Does funding received from the Canada Emergency Wage Subsidy (CEWS) fall under government funding that needs to be declared?

As Canada Emergency Wage Subsidy (CEWS) is a subsidy and not a tax credit, our office's guidance is that lobbyists are required to declare it as government funding for the purposes of the LTA.

My organization (or my client) has requested or received government funding from other levels of government/other jurisdictions, such as municipalities and the Government of Canada. Are we required to report funding requested or received by the organization or client from other levels of government and other jurisdictions?

Yes, if the government funding arrangement from another jurisdiction meets our general guidelines for “government funding”, that government funding must be declared in your Registration Return. The general guidelines are:

Government funding includes:	Government funding does not include:
<ul style="list-style-type: none">• government grants• non-repayable contributions• any other non-repayable funding arrangements	<ul style="list-style-type: none">• repayable contributions• loans and loan guarantees• payments pursuant to a contract for goods and/or services• tax credits• remission orders

RECENT NEWS

Who's Lobbying Who: October, November, and December 2020

Who's Lobbying Who is a monthly summary of lobbying activities that in-house lobbyists for organizations and consultant lobbyists have carried out or expect to carry out in BC. Each edition contains all new registrations submitted and activated during the previous month. Click [Who's Lobbying Who](#) to view each month's report on the ORL's website.

Investigation Reports and Reconsiderations

The ORL has the authority to investigate alleged lobbyist contraventions such as failing to register, or reporting information inaccurately or late. ORL investigators review the circumstances of each case, examine the evidence, and if the contravention is substantiated, levy an administrative penalty. Previous investigation and reconsiderations reports can be viewed on our website [here](#).

Investigation Report 20-01

The BC Salmon Farmers Association (BCSFA) employs an in-house lobbyist. The organization was found to be in contravention of section 4(1)(o) of the *Lobbyists Registration Act* (LRA)

when the designated filer failed to declare that one of BCSFA's in-house lobbyist was a former public office holder. An administrative penalty of \$500 was imposed.

