

INFLUENCING BC

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IN THIS ISSUE

[About the ORL](#)
[Registrar's message](#)
[Feature: Gift Giving – Your Feedback](#)
[Registry changes](#)
[Updated guidance documents](#)
[Reporting dates for 2023](#)
[Recent news](#)

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 maintains a Lobbyists Registry, educates lobbyists, public office holders and the public about lobbying rules, 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.

The ORL publishes *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

Preparation of this newsletter has again reminded me of the importance of our consultation work with lobbyists. Your feedback to the ORL helps us improve our practices, making our guidance more meaningful, and our Registry easier for you to use.

This issue of *Influencing BC*, highlights the results of some of those recent consultations including the ORL's recent gifts survey. Gifts and the gift prohibition in the LTA have elicited many questions from lobbyists and your input and submissions on this issue were extremely helpful. We thank all those who participated in the survey.

Your comments also informed new guidance documents and an upcoming Registry update that we hope will save you time and effort when entering your Lobbying Activity Reports.

Please contact us at info@bcorl.ca if you have any questions or comments.

Michael McEvoy, Registrar of Lobbyists for British Columbia

GIFT GIVING: YOUR FEEDBACK

Over the past year, as in-person meetings and events resumed, the ORL received many questions about the LTA gift-giving rules that lobbyists are required to follow. To respond to these questions, the ORL decided to refresh the guidance on lobbyist gifts.

All stakeholders, including lobbyists, public office holders, media, and members of the general public, were invited to participate in a public consultation that focused on the narrow exception to the LTA's gift prohibition and a proposed gift limit of approximately \$40.

The ORL received 17 submissions from stakeholders. These submissions, which can be viewed in their entirety on our [website](#), provided valuable input for the updated guidance document, now also published on the ORL [website](#).

Many respondents called for clarity as to when a gift meets the exception to the LTA's gift prohibition. While the proposed \$40 limit was intended to clarify whether a gift is normal to a protocol or social obligation, which is one consideration of the LTA's exception test, the ORL recognizes that each gift is unique and that under certain circumstances a higher value gift may be normal.

Lobbyists must assess each gift within the context in which it is promised or given to determine whether or not it falls under the LTA's exception. Again, please refer to our updated guidance document which is also referred to below.

The ORL thanks those who took part in the consultation.

REGISTRY CHANGES: BULK LOBBYING ACTIVITY REPORT ENTRY

A new way to enter Lobbying Activity Reports will be released in the Registry in the coming weeks. This Registry update (see the [December 2022 Influencing BC](#) for more info) will allow filers to enter multiple Lobbying Activity Reports (LARs) simultaneously in a "Bulk Entry" style interface. The new feature was designed to save time in monthly reporting for any lobbyist who has multiple lobbying activities with senior public office holders. Bulk entry of lobbying activities will be optional; lobbyists that prefer it can continue to declare lobbying activities the way they currently do.

When bulk entry option goes live in the [Registry](#), the Monthly Returns and Lobbying Activity Reports User Guide will be updated and posted to the ORL website.

UPDATED GUIDANCE

The ORL team regularly reviews our guidance documents to reflect legislative changes, ensure clarity, and respond to feedback we receive from lobbyists.

Lobbyists Gifts

The ORL's recently revised guidance on lobbyists gifts includes a detailed explanation of four points to consider when assessing whether a gift meets the LTA's exception test:

1. A gift must accompany a duty or responsibility of office of a public office holder
2. There must be a protocol or social obligation to give a gift
3. The gift itself must be "normal" to the protocol or obligation (including of a normal value for the obligation), and
4. The total, combined value of all gifts must be less than \$100 over a 12-month period.

Promising or giving a gift that fails to meet any of the above aspects is a contravention of the LTA and may result in investigation and administrative penalties. Lobbyists are encouraged to read the updated guidance to better understand the LTA's gift-giving rules.

Non-profit guidance

On February 7, 2023, the ORL published a revised edition of the *Non-profit Organizations* guidance document, which is designed to help non-profit groups better understand their obligations under the LTA and accompanying regulation. Updates to this guidance were developed in consultation with representatives from leading non-profit organizations in British Columbia and include a renewed emphasis on clear-language writing and illustrative examples that provide context to the provisions of the LTA, a glossary of terms to help clarify key points in the Act, and background information about the development and purpose of the LTA.

Many resources exist to support anyone new to navigating the LTA's requirements. In addition to the *Non-profit Organizations* guidance document, the ORL has a [Getting Started Guide – Reference Guide](#) as well as a collection of [infographics](#) and [FAQs](#) to help filers understand the fundamentals of registering their lobbying activities. ORL staff also welcome all questions filers may have about their obligations under the [LTA](#).

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

2023 REPORTING DATES

Add to your calendar

Monthly Returns are due by the 15th of each month. When the 15th falls on a Sunday or a statutory holiday, the deadline becomes the next day that is not a Sunday or statutory holiday.

Upcoming 2023 due dates for Monthly Returns:

- Saturday, April 15
- Monday, May 15
- Thursday, June 15
- Saturday, July 15
- Tuesday, August 15
- Friday, September 15
- Monday, October 16
- Wednesday, November 15
- Friday, December 15

RECENT NEWS

Who's Lobbying Who

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 of the 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.

Reports of Non-Compliance, Reconsideration Reports and other Decisions

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 reports of non-compliance and reconsideration reports can be viewed on our website [here](#).

Determination Decision 23-01

The designated filer for Domtar Inc. was found to have contravened sections 3(3), 4(1)(c), 4(1)(k) and 4.1 of the *Lobbyists Transparency Act* (LTA). The designated filer received an administrative penalty totaling \$3,150 for the contraventions.