

INFLUENCING BC

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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 provide news on lobbying in BC and the LTA to lobbyists and members of the public.

Michael McEvoy is the Registrar of Lobbyists for BC.

REGISTRAR'S MESSAGE

Welcome to the last issue of *Influencing BC* for 2023 as we get ready to turn over the final page of our calendars.

There are several matters of note since of our last *Influencing BC*.

This includes the publication of our [2022-23 Annual Report](#) which covers the second full year of our work under the *Lobbyists Transparency Act* (LTA) following landmark amendments to BC's lobbying legislation in 2020.

We also issued a Determination Decision and an Exemption Decision, both of which I encourage you to read because they provide relevant and valuable insight into our work, including enforcement work.

Enforcement tools are important to our work but for my Office they are looked at as last in the line of measures necessary to gaining compliance with the law. I continue to place first in that line a strong emphasis on education by releasing new and updated guidance documents and delivering presentations to lobbyists to help answer questions about lobbyists registration in BC. You can read more about these efforts in this newsletter.

As well, ORL staff continue to be available to speak to groups and organizations. If you have a speaking request, please complete this [form](#).

As regulators, we also benefit from information sharing with counterparts across the country. Our office was pleased to host the annual conference of the Lobbyists Registrars and Commissioners Network (LRCN) in Victoria in September. During the two days of programming, we discussed common issues and shared learning opportunities. To learn more about the conference, take a read of the [Communiqué](#).

As always, we hope you find this content useful. Please don't hesitate to contact us at info@bcorl.ca if you have any questions or comments.

I wish you all the very best for the holiday season and happiest of new years.

Michael McEvoy, Registrar of Lobbyists for British Columbia

REGISTRY CHANGES

Account Management

The ORL recently added a new option in the Lobbyists Registry that gives users the ability to opt-in to two-factor authentication, using SMS, to reset a password. I encourage lobbyists to make use of this security-enhancing feature. For more information, refer to the revised "Update Your Account" section, starting at page 32, in the [Account Management User Guide](#).

Bulk Lobbying Activity Reports

The bulk entry feature for Lobbying Activity Reports (LAR) helps streamline the process for submitting information into the Lobbyists Registry and has been live for the past few months. This update makes it easier and faster to submit more than one LAR at a time. It also offers an option to make use of duplication, which allows Registry users to copy an existing LAR and then make any modifications as required. The bulk entry feature is an optional alternative to the single-entry LAR method, so you have the option to use either one. See the [Bulk Lobbying Activity Reports FAQs](#) to find out more on this feature.

Updated User Interfaces

Stay tuned for changes to the user interfaces for the Designated Filer Dashboard, the Representative Account Dashboard and the Main Navigation. Prior to the changes being released, you can familiarize yourself with this upcoming adjustment. Information will be posted on the main [Registry Sign-in](#) page in the coming months.

UPDATED GUIDANCE

The ORL team regularly reviews guidance documents to reflect legislative changes, promote clarity in understanding the rules lobbyists must follow under the LTA, and respond to feedback we receive from lobbyists.

[Government Funding – updated May 15](#)

Consultation with representatives from the non-profit sector led to revisions to this document to enhance clarity around the requirement for lobbying organizations to report requested and received government funding. The updated document includes an expanded explanation on which types of monetary arrangements are considered “government funding” for the purposes of the LTA, a flow-chart to demonstrate when an organization may need to declare government funding in the Lobbyists Registry, and several examples that illustrate the rules around reporting government funding. Lobbyists working for organizations that may request or receive government funding are encouraged to read the updated guidance to better understand the LTA’s requirements in this area.

[User Guide: Monthly Returns – Registration Return Updates and Lobbying Activity Reports – updated April 19](#)

This user guide now reflects the introduction of the optional bulk entry Lobbying Activity Report feature in the Lobbyists Registry. The bulk entry LAR feature can be a time-saver as it allows lobbyists to create multiple Lobbying Activity Reports and certify and submit them together at one time. The updated user guide provides clear step-by-step instructions and screenshots that demonstrate how to access and make use of this optional feature.

[Infographic – Monthly Returns: What they are and when to file – May 24](#)

A new infographic provides lobbyists with a visual flow-chart to assist in determining whether they are required to submit a Monthly Return and, if so, what types of information must be included and when it must be submitted to the Lobbyists Registry.

All guidance documents can be viewed on our website [here](#). As well, the [Frequently Asked Questions](#) page on the website provides information on many topics, some of which include the Registry, lobbying, compliance, arranging meetings, gifts, registration returns, among others.

2023/2024 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. You can submit your Monthly Return earlier than the 15th of the month, and we do encourage lobbyists to submit their Monthly Return in the first week of the new month in case any issues are encountered, or any questions arise.

Upcoming 2023/24 due dates for Monthly Returns:

- Friday, December 15, 2023

2024

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

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 monthly report on the ORL website.

ORL Annual Report

The [2022-23 Annual Report](#) was released in August. This report covers the second full year of work under the *Lobbyists Transparency Act* (LTA) following the amendments to BC's lobbying legislation in 2020.

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, reconsideration, and exemption decision reports can be viewed on our website under [Decisions](#).

[Determination Decision 23-02](#)

The designated filer for the Greater Vancouver Board of Trade failed to submit Monthly Returns with information required under sections 4.2(2)(a) to (d) of the *Lobbyists Transparency Act* (LTA) (senior public office holder lobbying activity) within the legislated timeline. They were assessed an administrative penalty of \$3,000 for this contravention.

The designated filer submitted a Monthly Return under s. 4.1 of the LTA with information required under s. 4.2(2)(e)(i) of the LTA (changes to a Registration Return). The information they entered was inaccurate. The designated filer was assessed an administrative penalty of \$1,000 for this contravention.

Exemption Decision 23-01

Since late 2017, the applicant served as the President and Chief Executive Officer of the Insurance Corporation of British Columbia and was appointed President and Chief Executive Officer of British Columbia Ferry Services Inc (BC Ferries). The Registrar considered the preliminary question of whether the *Lobbyists Transparency Act* applied to BC Ferries such that it was required to report its lobbying of government. The Registrar determined that the Act did apply to the lobbying activities of BC Ferries. Cabinet had the power to exempt BC Ferries from these requirements but had chosen not to. The applicant's request to be exempted from the two-year prohibition on lobbying under section 2.3 of the *Lobbyists Transparency Act* is granted. The prohibition's purpose is preventing individuals from marketing information and relationships gained at public expense for private advantage. While the structure of BC Ferries is complex, its ultimate ownership rests with the Province. This means the applicant is moving from one government-owned entity to another, distinguishing this matter from past cases where exemption seekers moved from governmental bodies to private organizations ranging from industry associations to non-profit charities. To the extent BC Ferries might be said to gain advantage from the proposed lobbying activity, the public should be the ultimate beneficiary. In these circumstances, the Registrar found it in the public interest to grant the applicant an exemption from the two-year prohibition on lobbying, though BC Ferries must continue to report all lobbying activity.