



September 2025

*Statutory Review*

**RECOMMENDATIONS TO  
THE SPECIAL COMMITTEE  
TO REVIEW THE LOBBYISTS  
TRANSPARENCY ACT**

# WHO WE ARE

The Registrar of Lobbyists provides independent oversight and enforcement of BC's provincial lobbying law.

The *Lobbyists Transparency Act* (LTA) requires individuals and organizations who lobby public office holders and meet specific criteria to register lobbying activities in an online registry.

The goal of the LTA is to promote transparency in lobbying by allowing citizens to know who is attempting to influence public office holders' decisions.

The Registrar's mandate is to establish and maintain the Lobbyists Registry; to educate and inform lobbyists and the public about the LTA; and to oversee, promote, monitor, and enforce the LTA.

The Information and Privacy Commissioner is designated the Registrar of Lobbyists for the purposes of the *Lobbyists Transparency Act* (LTA).

**Michael Harvey** is BC's Registrar of Lobbyists.

The Registrar of Lobbyists for BC respectfully acknowledges that its office is located on the traditional territories of the Lekwungen people of the Songhees and Esquimalt Nations.

The work of the Registrar spans across British Columbia, and the Registrar and office acknowledges the territories of First Nations around BC and is grateful to carry out our work on these lands.



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# REGISTRAR'S MESSAGE

The disclosure requirements of the *Lobbyists Transparency Act* (LTA) are designed to create a culture of transparency in lobbying, which is foundational to a well-functioning democracy. Via the Lobbyists Registry, the public gains timely and meaningful transparency about who is attempting to influence public office holders in BC and for what purposes.

This first statutory review is an opportunity to consider whether and how the LTA can be improved to better fulfill its transparency purpose. This submission contains five recommendations to that end.

Meaningful transparency in lobbying is integral to public trust in government. By making the Act's obligations easier to follow and providing the public with a more fulsome picture of the lobbying occurring in this province, these recommendations aim to enhance the transparency already afforded by the LTA by promoting compliance and ensuring future amendments align with the administration of the LTA.

I am pleased to submit these recommendations to the Committee, as part of the work to review the Act.



**Michael Harvey**  
*Registrar of  
Lobbyists*



# INTRODUCTION

Since the amendments introduced by the *Lobbyists Registration Amendment Act, 2018* came into force in May 2020, several indicators show that the lobbying regulatory system in British Columbia is functioning well.

**Registrations have generally increased** year-over-year, reflecting healthy democratic engagement with government.

**Compliance is consistently high** – since 2020, less than 0.01% of possible compliance matters have elevated to a level requiring enforcement and consideration of administrative penalties.<sup>1</sup>

**Registry data is actively used**, for example by media and opposition MLAs to highlight public interest lobbying stories<sup>2</sup> and hold government accountable for their decisions.<sup>3</sup>

This indicates a healthy, well-functioning culture of lobbying transparency in BC.

Two of the five recommendations in this submission aim to provide the public with a more complete picture of how lobbying occurs in this province and who stands to benefit from a lobbying activity.

Three additional recommendations aim to make it easier for lobbyists to understand and meet their obligations under the Act. A guiding principle of these recommendations is simplicity: the easier it is to understand the law, the easier it is to comply with it, which promotes transparency in lobbying.

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1 Please see the ORL Annual Reports for statistics: <https://www.lobbyistsregistrar.bc.ca/reports/annual-report-and-service-plan/>.

2 For example: Follet Hosgood, A. (16 January 2025) *After Heavy LNG Lobbying, BC Simplifies Power Project Approval*, The Tyee <https://thetyee.ca/News/2025/01/16/BC-Simplifies-Power-Project-Approval/>.

3 For example: British Columbia, Legislative Assembly, Hansard, 42nd Parl, 4th Sess, No 307 (19 April 2023) at 18:35. <https://www.leg.bc.ca/hansard-content/Debates/42nd4th/20230419pm-Hansard-n307.html#307B:1415>.

# ENHANCING TRANSPARENCY

Disclosing direct interest in lobbying

Clarity in the type of communication used  
for lobbying



# Increase transparency around those that have a direct interest in a lobbying activity

## Issue

There is public interest in making transparent the entities that are truly behind, and stand to benefit, from a lobbying activity. Requiring Designated Filers to disclose whether any of their board members have employment, memberships, or interests with external organizations that have a direct interest in the lobbying activity would provide the public with a more complete picture of the true beneficiaries of a lobbying activity.

## Discussion

Transparency in lobbying means more than identifying who conducts lobbying. It also requires transparency on who drives and ultimately benefits from the lobbying. Sections 4(1)(g) – (g.3) of the LTA are designed to shed light on the behind-the-scenes actors that control, fund, and benefit from a lobbying activity.

However, these provisions are incomplete. Introducing a provision under section 4(1) that requires Designated Filers to disclose whether members of their organization or client's board of directors hold employment, membership, or other interests with external organizations that

have a direct interest in the lobbying would provide a more complete picture for the public.

This would address situations where businesses with shared interests create a separate organization to lobby on their behalf. For example, an organization that engages in lobbying whose board is comprised of representatives from a number of founding businesses. Such an organization must register under the LTA but is not necessarily required to disclose the underlying business interests represented on its board. This creates a transparency gap, concealing the true beneficiaries of the lobbying.

The introduction of such a provision would align with article V. f) of the *OECD Recommendation of the Council on Transparency and Integrity in Lobbying and Influence*.

f) Require lobbying and influence actors' board members and senior executives to disclose membership and interests with other companies, state agencies, and outside organizations such as business and trade associations, non-governmental organizations, consultancies, think tanks, and research bodies, where such membership is closely linked to the lobbying and influence activities.<sup>4</sup>

## Recommendation 1

Introduce a provision under section 4(1) that requires a Designated Filer to disclose whether members of their organization's or client's board of directors/governing body are employed by/have a membership/interest with external organizations that have a direct interest in the lobbying activity of the organization.

<sup>4</sup> Organization for Economic Co-operation and Development, "Recommendation of the Council on Transparency and Integrity in Lobbying and Influence (Amended 2024), online: <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0379>.

# Clarity in the type of communication used for lobbying

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## Issue

The public has no information to indicate the type of communication used when lobbying, which can be an important indicator of influence. Adding provisions under sections 4(1) and 4.2(2) that require Designated Filers to disclose the type of communication used when lobbying would enhance transparency by providing information about how a lobbying activity occurs.

## Discussion

Adding requirements for Designated Filers to disclose the type of communication used when lobbying – such as in-person meetings, phone calls, letters, emails, social media or otherwise – would make that information transparent for the public. Such requirements would be appropriate under both section 4(1), the Registration Return; and section 4.2(2), the Monthly Return.

The ORL has heard from members of the lobbying community that transparency of the types of communication used in lobbying activities would allow the public to scrutinize the level of access different lobbyists and organizations have with public office holders. The public would be able to see which lobbyists are meeting face-to-face with public decision makers – and which are communicating via social media channels only. This context can be used by the public to consider the degree of influence each lobbyist or organization may have on the development of public policy.

Except for Manitoba and New Brunswick, all other Canadian provincial, territorial, and federal lobbying legislation require lobbyists to disclose the type of communication used. Aligning the LTA with most other Canadian lobbying legislation would enhance transparency for the public.

## Recommendation 2

Introduce provisions under sections 4(1) and 4.2(2) that require Designated Filers to report the type of communications used when lobbying.



# SIMPLIFYING UNDERSTANDING

**Definition of “Provincial entity”**

**Advisory opinions and interpretation bulletins**

**Registrar consultation**

# Clarify the definition of “Provincial entity”

## Issue

Lobbyists are not always able to readily identify whether the target of their lobbying is a “Provincial entity” under the LTA, a critical factor when determining whether they are required to register to lobby. Lobbyists should be provided with the same level of certainty as is available to current and former public office holders in determining whether an organization is a “Provincial entity”.

## Discussion

The regulation to the LTA sets out two definitions of the term “Provincial entity”, each used for distinct purposes. The first, found in [section 3\(a\)](#) of the *Lobbyists Transparency Regulation*<sup>1</sup> (the regulation), is used by lobbyists to:

- determine whether lobbying directed at a particular entity must be reported in the Lobbyists Registry;
- assess whether an individual being lobbied qualifies as a “senior public office holder”; and
- identify whether a client or organization has received reportable government funding.

Determining whether a specific entity falls under section 3(a) requires lobbyists to navigate a cascading series of statutes, regulations, and definitions and bring to that detailed knowledge of an entity’s governance structure.

This complexity can lead to confusion among lobbyists as to whether a reporting obligation exists. While ORL staff regularly assist lobbyists in making these determinations, those unaware of a requirement or who mistakenly believe one does not exist are unlikely to seek guidance, which can result in unintended non-compliance and reduced transparency for the public.

In contrast, [section 3\(b\)](#)<sup>2</sup> of the regulation lays out a clearly defined schedule of “Provincial entities”. This definition is used by current and former public office holders to assess whether an individual is exempt from the definition of “in-house lobbyist” and whether a person is subject to the “former public office holder” prohibition. The schedule offers a clear and quick means to assess.

Although there is overlap between the definitions provided by section 3(a) and 3(b), they are not identical in scope. The schedule provided under 3(b) cannot be relied upon as an authority for assessing whether an entity falls within the scope of section 3(a). Establishing and maintaining a separate schedule under section 3(a) of the regulation – akin to the schedule under section 3(b) – would provide clarity for lobbyists and support compliance with the Act.

## Recommendation 3

Government should establish and maintain a schedule of Provincial Entities that is applicable for section 3(a) of the regulation to the LTA.

<sup>1</sup> *Lobbyists Transparency Regulation*, BC Reg 235/2019, s.3(a).

<sup>2</sup> *Ibid*, s.3(b).

# Authority to issue advisory opinions and interpretation bulletins

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## Issue

Section 9.4 of the LTA allows the Registrar to offer general guidance and education but does not provide the statutory authority to issue advisory opinions or interpretation bulletins. Adding these authorities would allow the Registrar to provide advice that lobbyists can rely on for specific issues, to support understanding of and increase compliance with the LTA.

## Discussion

Where a complex or unique factual situation arises, a detailed legal examination may be required to determine how a lobbyist can comply with the Act. However, the Registrar currently does not have the authority to issue advisory opinions to clarify whether a fact circumstance would contravene the LTA. Adding this authority would allow the Registrar to offer direct advice to a lobbyist on a complex or unique matter prior to it becoming an instance of non-compliance, providing better support to lobbyists that seek to comply with the LTA.

Interpretation bulletins are a means for the Registrar to provide public-facing interpretations of how specific provisions of the Act are applied in common but complex situations. Such bulletins would enhance clarity for lobbyists seeking to understand the Act, ultimately supporting compliance and transparency.

All other Canadian provincial and federal jurisdictions, except for Saskatchewan, provide their lobbying regulator with authority to issue advisory opinions and interpretation bulletins. Adding the same authorities to the LTA would ensure lobbyists in BC have access to the same level of clarity and support.

## Recommendation 4

Introduce a provision that provides the Registrar with authorities to issue advisory opinions and interpretation bulletins with respect to the interpretation and application of the LTA and regulation.



# Require Registrar consultation for planned amendments

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## Issue

As an independent regulator, the Registrar has an interest in open dialogue with government regarding amendments to the LTA to ensure any amendments are administratively feasible.

## Discussion

The Ministry of the Attorney General generally consults with the ORL prior to amending the LTA or accompanying regulation. This practice is valued by the Registrar and supports effective administration of the Act.

Advanced notice of amendments not only provides an opportunity for consultation, but critically it provides the ORL the opportunity to advise on the time and costs required for the ORL to update the Registry as needed.

Notice also allows the ORL to develop and deliver updated guidance and education in advance, ensuring lobbyists are supported in meeting their obligations when changes to reporting requirements come into effect.

Codifying the practice of consulting with the ORL prior to introducing amendments to the LTA or accompanying regulation will ensure this beneficial practice continues.

## Recommendation 5

Introduce a provision that requires the Ministry responsible for the LTA to consult with the Registrar prior to introducing legislative or regulatory amendments.



# RESOURCES

## General

- [Business relationships: Affiliates and others with an interest in lobbying activities](#)
- [Codes of conduct](#)
- [Exemption process for former public office holders](#)
- [Getting started - Reference guide](#)
- [Glossary of terms](#)
- [Government funding](#)
- [Guidance for lobbyists during an election](#)
- [How to report political sponsorship and recall contributions in the Lobbyists Registry](#)
- [Lobbyist Gifts and other benefits](#)
- [Non-profit organizations](#)
- [Organizations](#)
- [Payment and reimbursement](#)
- [Political, sponsorship, and recall contributions](#)
- [Procurement](#)
- [Provincial entities](#)
- [Public office holders and the \*Lobbyists Transparency Act\*](#)
- [Registrar of Lobbyists: Guide to investigations](#)
- [Working together for the purpose of lobbying](#)

## User Guides

- [Accessing information in the Lobbyists Registry](#)
- [Account management](#)
- [Funding returns](#)
- [How to register and report your lobbying activities](#)
- [Monthly Returns: Registration return updates and lobbying activity reports](#)
- [Quick reference guide for representatives](#)
- [Registration returns: new and reactivations](#)
- [Sample questionnaire for consultant lobbyists' clients](#)
- [Sample questionnaire for organizations that are lobbying](#)
- [Tracking lobbying activities: Consultant lobbyists](#)
- [Tracking lobbying activities: In-house lobbyists](#)

## Infographics

- [Are you lobbying?](#)
- [Has the most senior paid officer in your organization changed?](#)
- [Monthly returns: What are they and when](#)
- [Registration timelines](#)
- [What do the \*Miscellaneous Statutes Amendment Act, 2024\*, amendments mean for my lobbying registration?](#)
- [What is a funding return?](#)





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**O-R-L-**

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