

## DETERMINATION DECISION 26-01

### Western Canada Wilderness Committee

#### Designated Filer: Beth Clarke

**Date: February 19, 2026**

**SUMMARY:** The designated filer for Western Canada Wilderness Committee (WCWC) was found to have contravened section 4.1 of the *Lobbyists Transparency Act* (LTA). The designated filer received an administrative penalty totalling \$4,200 for the contravention.

**Statutes considered:** *Lobbyists Transparency Act*, SBC 2001, c. 42.

**Authorities considered:** Determination Decision (DD) 23-02, DD 23-04, and DD 24-02.

#### INTRODUCTION

[1] This report concerns an investigation under s. 7.1 of the LTA. This section gives the Registrar of Lobbyists (the Registrar) the authority to conduct an investigation to determine compliance with the LTA and its regulations. If the Registrar or their delegate believes that the person under investigation has not complied with a provision of the LTA or its regulations, s. 7.2 of the LTA requires the Registrar to give a person under investigation notice of the alleged contravention and the reasons for the Registrar's belief that the contravention has occurred. Prior to making a determination under s. 7.2(2) of the LTA, the Registrar must, under s. 7.2(1)(b), give the person under investigation a reasonable opportunity to be heard respecting the alleged contravention.

[2] The LTA recognizes two types of lobbyists: consultant lobbyists and in-house lobbyists. This report focuses on the activities of the Western Canada Wilderness Committee, an organization that employs in-house lobbyists. An in-house lobbyist is a paid employee, officer or director of an organization who lobbies on behalf of the organization or affiliate.

[3] Under s. 7(4)(d) of the LTA, the Registrar has delegated to me the authority to conduct this investigation.

**ISSUES UNDER CONSIDERATION**

- [4] The issues for consideration are:
- (a) Whether the designated filer contravened s. 4.1 of the LTA by filing Monthly Returns later than the legislated deadline; and
  - (b) If the designated filer did not comply with the requirements of the LTA, what, if any, administrative penalty is appropriate in the circumstances?

**RELEVANT SECTIONS OF THE LTA**

- [5] **"designated filer"** means
- (a) a consultant lobbyist, or
  - (b) in the case of an organization that has an in-house lobbyist,
    - (i) the most senior officer of the organization who receives payment for performing the officer's functions, or
    - (ii) if there is no senior officer who receives payment, the most senior in-house lobbyist;
- [6] **"lobby,"** subject to section 2(2), means
- (a) to communicate with a public office holder in an attempt to influence
    - (i) the development of any legislative proposal by the government of British Columbia, a Provincial entity or a member of the Legislative Assembly,
    - (ii) the introduction, amendment, passage or defeat of any Bill or resolution in or before the Legislative Assembly,
    - (iii) the development or enactment of any regulation, including the enactment of a regulation for the purposes of amending or repealing a regulation,
    - (iv) the development, establishment, amendment or termination of any program, policy, directive or guideline of the government of British Columbia or a Provincial entity,
    - (v) the awarding, amendment or termination of any contract, grant or financial benefit by or on behalf of the government of British Columbia or a Provincial entity,
    - (vi) a decision by the Executive Council or a member of the Executive Council to transfer from the Crown for consideration all or part of, or any interest in or asset of, any business, enterprise or institution that provides goods or services to the Crown, a Provincial entity or the public, or

(vii) a decision by the Executive Council or a member of the Executive Council to have the private sector instead of the Crown provide goods or services to the government of British Columbia or a Provincial entity,

(b) to arrange a meeting between a public office holder and any other individual for the purpose of attempting to influence any of the matters referred to in paragraph (a) of this definition.

[7] **"lobbying activity"**

means any of the activities described in paragraphs (a) and (b) of the definition of "lobby";

[8] **"public office holder"** means

(a) a member of the Legislative Assembly and any person on the member's staff,

(b) an officer or employee of the government of British Columbia,

(c) a person who is appointed to any office or body by or with the approval of the Lieutenant Governor in Council, other than a person appointed on the recommendation of the Legislative Assembly,

(d) a person who is appointed to any office or body by or with the approval of a minister of the government of British Columbia, and

(e) an officer, director or employee of any government corporation as defined in the [Financial Administration Act](#).

but does not include a judge or a justice of the peace;

[9] **Requirement to file Monthly Return**

4.1 A designated filer who has filed a Registration Return under section 3 must file with the registrar a Monthly Return, in the prescribed form and manner containing the information required under section 4.2(2), no later than 15 days after the end of every month, beginning with the month in which the Registration Return under section 3 is filed.

[10] **Form and content of Monthly Returns**

4.2(2) Each Monthly Return filed under section 4.1 must include the following information in relation to each lobbying activity carried on, as applicable:

(a) the name and position of the senior public office holder who was the object of the lobbying activity;

(b) the date of the lobbying activity;

(c) the names of the lobbyists who participated in the lobbying activity;

(d) particulars, including any prescribed particulars, to identify the subject matter of the lobbying activity.

**[11] Power to investigate**

7.1(1) If the registrar considers it necessary to establish whether there is or has been compliance by any person with this Act or the regulations, the registrar may investigate.

(2) The registrar may refuse to investigate or may cease an investigation with respect to any matter if the registrar believes that

(b) the matter is minor or trivial,

(c) dealing with the matter would serve no useful purpose because of the length of time that has elapsed since the matter arose,

**[12] Hearing and administrative penalty**

7.2 (1) If after an investigation under section 7.1 the registrar believes that a person under investigation has not complied with a provision of this Act or the regulations, the registrar must

(a) give notice to the person

(i) of the alleged contravention,

(ii) of the reasons why the registrar believes there has been a contravention, and

(iii) respecting how the person may exercise an opportunity to be heard under paragraph (b) of this subsection, and

(b) give the person a reasonable opportunity to be heard respecting the alleged contravention.

(2) If after giving a person under investigation a reasonable opportunity to be heard respecting an alleged contravention the registrar determines that the person has not complied with a prescribed provision of this Act or the regulations, the registrar

(a) must inform the person of the registrar's determination that there has been a contravention,

(b) may impose an administrative penalty of not more than \$25 000, and

(c) must give to the person notice

(i) of the registrar's determination that the person has not complied with a prescribed provision of this Act or the regulations and the reason for the decision,

(ii) if a penalty is imposed, of the amount, the reason for the amount and the date by which the penalty must be paid, and

(iii) respecting how the person may request reconsideration, under section 7.3, of the determination of non-compliance or the imposition or amount of the penalty.

## **BACKGROUND**

[15] On August 21, 2023, the designated filer contacted the ORL by email for assistance to update a backlog of WCWC's lobbying activities as they fell behind in early 2022 in their reporting. The designated filer requested an exemption or some other means to reduce the obligation to report WCWC lobbying activities. On the same day, ORL Registry staff responded, advising the designated filer that the ORL is not able to provide exemptions to reporting obligations and that outstanding Lobbying Activity Reports from May 4, 2020, (the date the LTA came into force) onward, would need to be filed.

[16] On August 22, 2023, the designated filer responded to ORL Registry staff, indicating that asking a non-profit organization to spend their time logging lobbying activities is a deterrent to lobbying. In response, ORL Registry staff provided an overview of the assistance and guidance the ORL was able to provide.

[17] On September 11, 2023, ORL Registry staff followed up with an email to the designated filer as WCWC had not filed any Lobbying Activity Reports since April 11, 2022. Registry staff issued a deadline of no later than October 9, 2023, to file any outstanding or late Lobbying Activity Reports and to update WCWC's Registration Return, if necessary. Registry staff noted that if this matter is examined in an investigation, the investigator may consider how long the Lobbying Activity Reports and updates to the Registration Return have been late in determining an appropriate penalty.

[18] On September 12, 2023, the designated filer responded to ORL Registry staff, indicating that they were working on the October 9, 2023, deadline. On September 13, 2023, ORL staff informed the designated filer by email that they were available should the designated filer have any questions.

[19] On January 30, 2024, ORL Registry staff emailed the designated filer requesting confirmation as to whether all outstanding Lobbying Activity Reports and any necessary updates to WCWC's Registration Return had been submitted. ORL Registry staff noted that only three Lobbying Activity Reports had been filed between April 12, 2022, and January 30, 2024, and no update for the Registration Return had been submitted. No response was received.

[20] On February 9, 2024, ORL Registry staff sent a follow-up email to the designated filer with a deadline of February 13, 2024, for a response. On February 14, 2024, the designated filer

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contacted the ORL, apologizing for the late response to the ORL's inquiry. They indicated that while the Registration Return was up to date, they still had lobbying activities to enter into the Registry. They also noted that they were unable to make the previous deadline.

[21] On February 15, 2024, ORL Registry staff responded to the designated filer's February 14, 2024, email, advising that they were required to submit any outstanding Lobbying Activity Reports and, if necessary, update the Registration Return for WCWC without further delay. The designated filer replied the same day, indicating their awareness of being non-compliant with the LTA and that they were working towards logging the rest of the lobbying activity by the end of the following week. Additionally, the designated filer noted that WCWC's Registration Return was up to date.

[22] On February 26, 2024, the designated filer contacted the ORL by email stating that the WCWC had completed logging all lobbying activities dating back to when the LTA came into force. The designated filer indicated that they would review everything to ensure that nothing was missed and that everything had been submitted up to February 29, 2024.

[23] On March 4, 2024, ORL Registry staff reviewed the Registry and noted that WCWC submitted a total of 352 late Lobbying Activity Reports since May 4, 2020.

**INVESTIGATION**

[24] The ORL commenced an investigation under section 7.1 of the LTA to determine whether the designated filer had complied with section 4.1 of the LTA.

[25] On October 29, 2025, I provided the designated filer with formal notice under section 7.2(1)(a) of the LTA that, given the circumstances, it appeared that WCWC had contravened section 4.1 of the LTA. I asked the designated filer to respond in writing to the alleged contravention and to provide any information or documentation pertinent to the alleged contravention and any potential penalty.

[26] On November 27, 2025, the designated filer responded with their submission to the 7.2(1)(a) notice, indicating, in part, that after reviewing their lobbying activity, not all of it had been reported as of November 27, 2025. I reviewed WCWC's recent reporting of lobbying activity and noted 31 additional Lobbying Activity Reports filed in November and December 2025. These reports appear to range between 1 and 530 days late.

[27] On February 3, 2026, I issued a second notice under section 7.2(1)(a) of the LTA to the designated filer for the purpose of notifying them that I was including the reporting of 31 additional Lobbying Activity Reports, in my investigation. The designated filer was provided with an additional opportunity to be heard if they chose, to respond in writing to the alleged contraventions, and to attach any information or documentation they believe to be pertinent, both regarding whether there had been a contravention and as to the potential penalty that

should follow. On February 3, 2026, the designated filer responded indicating they had no further response.

[28] The designated filer's November 27, 2025, response states that the WCWC is committed to meeting their obligations under the LTA, but non-profits are struggling to keep up with them. They indicated that the ORL has made helpful updates to the Registry to assist with "bulk reporting" and to lessen the possibility of reporting lobbying activity that does not include lobbying senior public office holders.

[29] The designated filer expressed appreciation for the opportunity to catch up on late reporting. They indicated that while they understand there are no exceptions to reporting and that the LTA applies to both professional, corporate lobbyists and non-profit lobbyists, they requested flexibility in meeting their obligations under the LTA. They pointed out that there are differences in resources and responsibilities between professional, corporate lobbyists and lobbyists for non-profits. For example, a Director or Chief Executive Officer for a non-profit is responsible for running an entire organization, including human resources management; financial oversight and fundraising; operations; education; and governance that can include numerous legislative areas at municipal, provincial and federal levels. The designated filer stated that, by contrast, corporate lobbyists are responsible for lobbying and registering lobbying activity. The designated filer indicated that they could have other people track and log lobbying activities; however, they are ultimately responsible to ensure that it is done completely and accurately, which takes time.

[30] Regarding 26 Lobbying Activity Reports reported the week of November 27, 2025, the designated filer stated that two of their meetings with government officials were logged late and they apologized for this. They also stated that six of the 24 social media posts were duplicates and eight of them were posted from the personal social media account of a spokesperson for WCWC.

[31] Finally, the designated filer indicated that while they understand there are no exceptions under the LTA for non-profits, they hoped the ORL would take into consideration the additional hardship these factors present when evaluating their contravention. They stated that they believe in democracy and transparency, and that the WCWC has been deterred from lobbying and indicated that their frequency of lobbying in recent months has dropped as a direct result of LTA requirements for non-profits.

## **DISCUSSION AND FINDINGS**

### ***Monthly Return section 4.1 of the LTA***

[32] The requirement to file Monthly Returns and report lobbying activity is central to the notion of transparency underlying the LTA. An organization is required to submit a Monthly Return under s. 4.1, with information required under s. 4.2(2)(a) to (d) of the LTA, for each of its

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lobbying activities, no later than 15 days after the end of every month. My investigation was focused on Lobbying Activity Reports submitted on or after February 20, 2024, and submitted one month or more late. The designated filer submitted Monthly Returns reporting a total of 217 Lobbying Activity Reports between one and 22 months late. The table below illustrates the number of Lobbying Activity Reports that were reported late and the range of lateness in WCWC's reporting.

**Table 1: Number of LARs reported late and the number of months late**

<b>Number of Months Reported Late</b>	<b>Number of LARs Reported Late</b>
18 to 22	69
13 to 17	47
7 to 12	53
1 to 6	43
	<b>Total 217</b>

[33] I acknowledge the designated filer's position that they are responsible for overseeing various functions of WCWC and that, in their view, there are differences in resourcing between non-profit designated filers and what they refer to as corporate lobbyists. Whether one is a designated filer for a non-profit or a for-profit organization, the LTA reporting requirements for lobbying activity are the same.

[34] Filing Monthly Returns less than a month late may be considered minor; however, in these circumstances the majority of WCWC's LARs were reported between six and 22 months late. In my view, this is not minor. Given the circumstances, I find that WCWC contravened s. 4.1 of the LTA when it filed its Monthly Returns with the information required under section 4.2 more than 15 days after the end of the month in which each lobbying activity occurred.

#### **ADMINISTRATIVE PENALTY**

[35] Section 7.2(2) of the LTA provides that if, after giving a person under investigation a reasonable opportunity to be heard respecting an alleged contravention, the Registrar determines that the person has not complied with a prescribed provision of the LTA or the regulation, the Registrar must inform the person of the Registrar's determination that there has been a contravention and may impose an administrative penalty of not more than \$25,000.

[36] Such a person must be given notice of the contravention determination and, if a penalty is imposed, "the amount, the reason for the amount, and the date by which the penalty must be paid."

[37] Section 7.2 of the LTA confers discretion on the Registrar to impose administrative penalties. To provide a measure of structure in the exercise of that discretion, the ORL has

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published a guidance document “*Registrar of Lobbyists: Guide to Investigations*”<sup>1</sup> (guide to investigations) to advise members of the public and those engaged in lobbying about what will guide the ORL in exercising its duties under the LTA and the regulations. As the policy makes clear, its purpose is to structure discretion. It does not fetter discretion; it provides a consistent framework so lobbyists can have some certainty about the exercise of discretion. It is not law. I have considered that guidance in the exercise of my delegated discretion to determine a penalty based on the facts before me.

[38] The guide to investigations first sets out a general financial range for particular contraventions, depending on whether they are first, second or third instances or whether there is a public interest reason to consider a prohibition from lobbying. Second, it provides a list of factors that will be considered in determining the amount of an administrative penalty. Finally, it includes a clear statement that the guidelines “do not bind or fetter the ORL’s ability to depart from these guidelines, both in respect of administrative monetary penalties and prohibitions, in appropriate circumstances.”

[39] The penalty range for failing to submit a Monthly Return registering lobbying activity is between \$500 to \$7,500 for a first contravention.

[40] In determining the appropriate administrative penalty within that range, I have taken the following factors into account:

- Previous enforcement actions for contraventions by this person;
- The gravity and magnitude of the contravention;
- Whether the contravention was deliberate;
- Whether the registrant derived any economic benefit from the contravention;
- Any efforts made by the registrant to report or correct the contravention;
- Whether a penalty is necessary for specific and general deterrence; and
- Any other factors that, in the opinion of the registrar or their delegate, are relevant to the administrative penalty.

I have considered these factors and the submissions made by the designated filer for WCWC in making my determination.

[41] The goal of the LTA is to promote transparency, to provide the public with accurate and timely information about who is lobbying government and the purpose of the lobbying. The requirement to file Monthly Returns and include the information found under s. 4.2(2)(a) to (d)

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<sup>1</sup> Registrar of Lobbyists: Guide to Investigations, Revised: May 27, 2020.

<https://www.lobbyistsregistrar.bc.ca/handlers/DocumentHandler.ashx?DocumentID=391>

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is not optional or arbitrary. It is connected to the public's right to know this information and to have it in a timely manner.

[42] I considered and rejected the idea that this is a circumstance where no penalty is appropriate. Designated filers are responsible for their obligations under the statute. A penalty in this circumstance is appropriate for the purpose of encouraging the designated filer to take their obligations under the LTA seriously and to remind all designated filers of their legal obligations to file their Monthly Returns on time, reporting all lobbying activity.

[43] I have reviewed previous investigations and decisions and do not see any prior contraventions for WCWC. I am also not aware of any warnings under the LTA for WCWC. I consider these to be factors which weigh in favour of a lower penalty.

[44] Regarding the gravity and magnitude of the contravention, the high number of Lobbying Activity Reports that were outstanding and the length of time they went unreported and unknown to the public, make it severe and far reaching. The long spans of time between reporting indicate a lack of attention on the part of the designated filer to their legal obligations under the LTA. I find this contravention to be serious and in direct contradiction of the LTA's goal of promoting transparency because it prevents the public from knowing who is attempting to influence government and the purpose of the lobbying, at any point in time. In my view, this warrants a higher penalty.

[45] I have no information that leads me to believe WCWC derived an economic benefit as a result of the contravention. I find this to be a neutral factor.

[46] In considering whether this contravention was deliberate, I do not have information that supports a conclusion that WCWC consciously took calculated steps to avoid filing its Monthly Returns. I find this to be a neutral factor.

[47] When considering the efforts to correct the contravention, WCWC contacted the ORL on its own initiative on August 21, 2023, for assistance to report the backlog of its lobbying activity. In the same communication, WCWC requested an exemption or a means to reduce the obligation for reporting. When ORL Registry staff responded the same day advising that the ORL is not able to provide exemptions to reporting obligation and that outstanding LARs would need to be filed, WCWC took the position that expecting a non-profit to fulfill its reporting obligations was a deterrent to lobbying.

[48] It took WCWC more than six months and at least two follow-ups after being reminded by ORL Registry staff to submit its high number of outstanding Lobbying Activity Reports, which occurred in an initial submission of Lobbying Activity Reports made between February 20 and March 6, 2024. Additional late Lobbying Activity Reports were submitted in November and December 2025. These delays in submitting the outstanding Lobbying Activity Reports, as

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shown in Table 1, largely outweighs much of the positive consideration an organization may be given for coming forward and working promptly with the ORL to remedy a contravention. The ORL is available to assist all designated filers and organizations in their efforts to be compliant with the LTA. This fact cannot be underscored enough. While some credit may be warranted for WCWC eventually submitting its Lobby Activity Reports and bringing transparency to its lobbying efforts, I cannot give the same level of positive weight to these efforts as I would have, had they acted promptly. For this reason, I find this consideration weighs in favour of a higher penalty.

[49] I have considered the following previous Determination Decisions in assessing an appropriate penalty for this contravention.

[50] In Determination Decision 24-02, a representative from the organization contacted the ORL asking what actions they were required to take to meet the LTA's requirements. The ORL informed the representative that they would need to submit a new registration with information required under the new legislation. The organization was 28 months late in submitting its Registration Return. The organization had no previous contraventions and asked the ORL about its obligations under the LTA. The contravention was not deliberate and did not result in an economic benefit. The organization lobbied on 43 occasions while not being registered. The designated filer received a penalty of \$3,500 for contravening s. 3(3) of the LTA.

[51] In Determination Decision 23-02, the organization failed to submit Monthly Returns within the legislated timeline. The organization had an active Registration Return, which is the same in this case. During a communication with the organization about a separate matter, it came to the attention of the ORL that the organization had lobbied senior public office holders. The organization said the pandemic had caused disruptions for it, roles had changed within the organization, and there was a new designated filer. The designated filer indicated that there was confusion about what constituted lobbying. The ORL provided the designated filer with assistance to meet the organization's obligations under the LTA. The designated filer worked with the ORL to quickly correct the error. The investigation found no evidence that the contravention was deliberate, nor was there an economic benefit resulting from the contravention. The designated filer submitted 15 late Monthly Returns for lobbying on 29 separate occasions over a period of two years. The designated filer received a penalty of \$3,000 for contravening s. 4.1 of the LTA.

[52] In Determination Decision 23-04, the ORL contacted the designated filer to enquire about possible lobbying activity they may have conducted while not registered. The designated filer acknowledged that the organization had lobbied and would quickly submit its Registration Return. The designated filer corresponded with the ORL for several months. The ORL provided the designated filer with assistance and guidance to complete their registration. The ORL had to continually remind the designated filer of their obligations under the LTA. The designated filer finally submitted the organization's Registration Return 16 months late. The contravention was not deliberate. There was no economic benefit derived from the contravention. The

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organization lobbied on 10 different occasions during this period. Given the circumstances, the designated filer received a penalty of \$4,000 for contravening s. 3(3) of the LTA.

[53] To summarize, in DD 24-02 the organization received a penalty of \$3,500 for filing its Registration Return 28 months late and lobbying on 43 occasions. In DD 23-02, the designated filer received a penalty of \$3,000 for submitting 15 Monthly Returns late over a two-year period and lobbying on 29 separate occasions. In DD 23-04, the designated filer received a penalty of \$4,000 for filing their Registration Return 16 months late and lobbying on 10 different occasions while not registered.

[54] WCWC was registered but failed to report 217 instances of lobbying over a 22-month period. This contravention took place over a lengthy period of time, only exceeded by DD 23-02 (by two months). The number of incidences of non-compliance is far greater than in previous decisions. In my view, this warrants a penalty exceeding those of these previous decisions. Having said that, I have considered WCWC's non-profit status and find that reducing the penalty from the higher penalty warranted in such a circumstance achieves the regulatory purpose of the LTA.

[55] Given the circumstance outlined above, it is my view an appropriate penalty in this matter is \$4,200 for WCWC's contraventions of s. 4.1 of the LTA.

**CONCLUSION**

1. Under s. 7.2(2) of the LTA, I find that the designated filer contravened s. 4.1 of the LTA when it failed to submit Monthly Returns with the information required under section 4.2 more than 15 days after the end of the month in which each lobbying activity occurred.
2. I impose an administrative penalty of \$4,200 for contravening section 4.1 of the LTA.
3. The designated filer must pay the amount for the penalties no later than **April 2, 2026**.
4. If the designated filer requests reconsideration under s. 7.3 of the LTA, they are to do so within 30 days of receiving this decision by providing a letter in writing directed to the Registrar of Lobbyists at the following address, setting out the grounds on which reconsideration is requested:

Office of the Registrar of Lobbyists for British Columbia  
PO Box 9038, Stn. Prov. Govt.  
Victoria, BC V8W 9A4  
Email: info@bcorl.ca

Date: February 19, 2026

ORIGINAL SIGNED BY

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Nanci Bond, Investigator and  
Delegate of the Registrar of Lobbyists