

COMMON MISCONCEPTIONS

Lobbyists Registration Act and Lobbyists Registry

S

SUBMIT vs. SAVE

T

**TIMELINES
(10/30/100)**

U

UNDERTAKING

M

MINISTER'S STAFF

P

PUBLIC AGENCY

E

**EDUCATIONAL
RESOURCES**

D

DESIGNATED FILER

Lobbyists Registry Tips

S

SUBMIT vs. SAVE

If you SAVE your registration, you will receive the following warning message:

Your registration has been saved

Your registration (**registration ID 3975400**) has been saved without being submitted in the Lobbyists Registry. You have **10** days to complete and submit your registration to the Office of the Registrar of Lobbyists for British Columbia. After **10** days this un-submitted information will be deleted from the system without notice.

Your registration has not been submitted and the system will delete it after 10 days. To successfully submit your registration to the Registry you are required to:

- Accept the certification statement
- Click the “Submit” button

Statement

I certify, to the best of my knowledge and belief that the information contained in this document is true, and that neither I nor any other lobbyist named in this return is in violation of section 2.1 of the *Lobbyists Registration Act*.

Submit

Save & Exit

Cancel Registration

Ensure the system message says the registration was SUBMITTED as the system will provide the registration number even if it is saved.

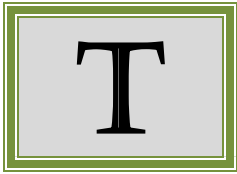
Your Organization registration has been submitted

Your registration ID is **3975400**. Please keep this information for your records. The Registrar will review and verify your registration shortly.

The designated filer will receive a system generated email when the registration has been activated by the ORL. If you do not receive the following email, either contact the ORL or check to ensure your registration is publicly available and active via the public search functionality.

Thank you for submitting your registration to the Office of the Registrar. Your Registration ID 3975400 has been reviewed and accepted by the Registrar. Your registration end date will be Jan 21, 2016, and you will have 30 days from that date to re-register your lobbying activities.

Failure to ensure your registration has been submitted appropriately could result in a contravention of the LRA.



TIMELINES (10/30/100)

Sections 3 and 4 of the *Lobbyists Registration Act* outline the requirements for registration, what must be reported, and the timelines.

10 DAYS

- **CONSULTANT LOBBYISTS** are required to complete and submit a registration within **10 days** of entering into an undertaking to lobby on behalf of a client. Undertaking will be explained next.
- **ALL FILERS** are required to make any corrections required by Registry staff within 10 business days of the request.

30 DAYS

All Filers are required to report any changes, for example:

- additional public office holders they have not already reported
- additional lobbying efforts not previously reported
- updates to information in any other fields contained in the registration

Consultant lobbyist

- completion or termination or extension of an undertaking

Organizations

- additional in-house lobbyists or termination of an in-house lobbyist
- **MUST** re-register within 30 days of the end of the previous registration if they still meet the criteria for registration

100 HOURS CRITERIA

For organizations only

The most senior paid person in the organization must register once the time spent on activities related to lobbying amounts to 100 hours in a previous 12-month period. It is recommended that organizations track their lobbying efforts to ensure they register once the threshold has been reached.



UNDERTAKING

This appears to be the most misunderstood term in the LRA.

An undertaking to lobby is an agreement between a consultant lobbyist and a client (whether written or verbal) where the services the lobbyist will perform on behalf of the client may include lobbying. Keep in mind, the definition of “lobby” includes a consultant lobbyist setting up a meeting between any individual and a public office holder. This meeting does not need to be for the purposes of lobbying. Many meetings are set up as introductory meetings.

As soon as the lobbyist and client have agreed that the services provided may include lobbying, the lobbyist has **10 days** (calendar days) to register the undertaking with the Lobbyists Registry.

As an example:

- I meet with a potential client on January 15th and we reach an understanding or “meeting of the minds” that I will provide services to them and that those services may include the requirement to set up or attend meetings with public office holders
- I draft a consultancy agreement with an effective date of February 1st, sign it on January 22nd and forward it to the client for signature
- The client signs it on January 30th and I receive it back on February 3rd
- I contact staff of the Minister’s Office on February 5th to request a meeting
- The meeting is scheduled for February 22nd

There are a lot of dates here. **What is the “undertaking start date” and when do I need to register by?**

- The undertaking start date is **January 15th**
- I would have until **January 25th** to complete and submit a registration



MINISTER'S STAFF

Two public office holder selections on the Registry are commonly misunderstood and often not reported correctly on registrations – namely “Minister’s Staff” and how to report lobbying public servants who work in a ministry.

The “Minister Staff” option should only be selected to report lobbying of any political staff in the Minister’s Office, such as the Chief of Staff or Executive Assistant.

This option must not be selected for the lobbying of public servants. To report lobbying of public servants, you must select “Public Agency”.



PUBLIC AGENCY

This option is to be used to report any lobbying or potential lobbying of public servants of a ministry or staff of any crown corporation or other entity meeting the definition of a provincial entity.

If you are lobbying a Deputy Minister, Assistant Deputy Minister, Executive Director or any other public servant in a ministry, you would select “Public Agency” and then select the appropriate ministry name from the drop-down list.

If you are lobbying staff in a crown corporation or other public agency such as the British Columbia Hydro and Power Authority, Interior Health Authority, Langara College and the Oil and Gas Commission, this would be the correct selection as well.

The LRA does not require the reporting of names of public servants and this one entry line will cover all meetings with staff of that same public agency.

This information is also articulated in the Quick Tips guides for consultant lobbyists or designated filers of organizations, which are found on the ORL website under the Resources tab.

E

EDUCATION

There are many documents available on the ORL website to provide you with assistance and useful information.

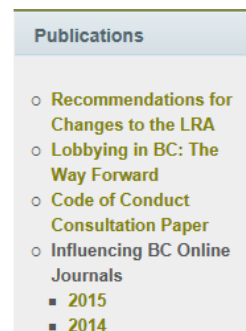
Under the Resources tab, there are several documents that will provide you with useful information for registering, searching the public registry or what to expect for contraventions of the LRA. The Quick Tips guide walks you through the process of completing a new registration or making updates to an existing registration – it is brief and concise.



Check out the Advisory Bulletins for definitions of the 100 hours threshold or the flowchart to assist in determining if you are required to register.



The *Influencing BC* online journals provide great information and tips.



If in doubt about the requirements for registration, timelines or what to report in the registration, **CONTACT THE REGISTRY STAFF** at 250 387-2686 or info@bcorl.ca



DESIGNATED FILER

Organizations

The designated filer is the most senior paid person in the organization and must be reported as such on the registration, along with their contact information. Delegation to someone else is not permitted under the LRA. If the organization is national, we accept the most senior paid person in British Columbia.

The designated filer is legally responsible for registering **all** in-house lobbyists every **six** months, if the organization continues to meet the threshold for registering. If the designated filer has someone complete the registration on their behalf, we encourage the designated filer to review the entire registration details before it is completed and submitted to the Registry.

Consultant Lobbyists

Consultant lobbyists are the designated filer and must register **themselves** and their contact information within the timelines set out in the LRA.

Legal Obligations for all Designated Filers

- To register and make any updates in accordance with the timelines
- To provide complete, unambiguous and accurate information
- To respond to requests for information or corrections from the Registrar or her delegate in a timely manner