O·R·L·
office of the registrar of lobbyists
BRITISH COLUMBIA

GUIDANCE DOCUMENT

GETTING STARTED - REFERENCE GUIDE

Revised: October 27, 2022

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PURPOSE OF THIS GUIDANCE DOCUMENT

Notice
This document is for information purposes only and does not constitute a decision or finding by the Registrar of Lobbyists for British Columbia or their delegates. This guidance does not affect the powers, duties or functions of the Registrar of Lobbyists, or their delegates, regarding any investigation or other matter under the *Lobbyists Transparency Act*, respecting which the Registrar and their delegates will keep an open mind. Responsibility for compliance with the *Lobbyists Transparency Act* remains with each lobbyist.

This guide answers common questions about lobbying in BC, including when and how lobbyists need to register with the BC Lobbyists Registry.

The guide provides a brief overview of the provisions of the current legislation and regulation governing lobbying in BC, together with an explanation of the most commonly-used features of the Lobbyists Registry. You must refer to the provisions of the *Lobbyists Transparency Act* (LTA) and the Lobbyists Transparency Regulation for the legal requirements.

If your questions are not answered in this Guide, see “Other Resources” links at the end of the document and/or email us at info@bcorl.ca.

The section titled **Overview of the *Lobbyists Transparency Act*** sets out a framework to help you determine whether you need to register & report lobbying activities in BC. If you read that section and are still not sure whether you need to register, contact our office with your questions: info@bcorl.ca. We can provide guidance about whether and when to register.

The **Overview of the Registry** section details how to create an account, how to use an account to file a Registration Return and Lobbying Activity Report, how to keep your Registration Return up to date, and general practical tips.

Under the **Miscellaneous** heading you will find useful links including how to change a Designated Filer, how to de-activate and re-activate a Registration Return, and instructions to carry out public searches in the Lobbyists Registry.

Any references to the definition of a term are references to the definition in the LTA unless specified. Any reference to a Section refers to that section in the LTA unless specified.

OVERVIEW OF THE *LOBBYISTS TRANSPARENCY ACT* (LTA)

Lobbying in BC

The LTA applies to lobbying activities directed at both elected and un-elected officials ("public office holders") at the provincial government level in BC. See below for more information on "public office holders".

The LTA does not apply to lobbying activities directed at officials in the federal government or a municipal government.

What is lobbying?

Communications with public office holders at the provincial government level in BC, in which you are trying to influence one or more of the following, may be lobbying:

- Legislation, a legislative proposal, or a regulation;
- A program, policy, directive, or guideline;
- A contract, grant, or financial benefit;
- Transfer of a government asset;
- A decision to have the private sector instead of the government provide goods and services.

In addition, if you **arranged a meeting** with a BC public office holder, for the purpose of lobbying, **for someone other than**, **or in addition to, yourself**, that is a lobbying activity that you need to declare. See the heading "Arranging a Meeting" below.

What is NOT lobbying?

Not all communications with public office holders qualify as "lobbying activity" under the LTA.

Here are some types of communications with public office holders that are NOT lobbying:

- Requesting or receiving information
- A standard application for government funding
- A standard application for a permit
- Submitting a bid in response to a request for proposals (RFP)
- A labour negotiation with government bodies through established labour negotiation processes
- Negotiation of a contract to deliver services on behalf of the government through established procurement processes
- Letters of congratulations (if no lobbying content)
- Submissions that fall within the terms of Section 2 (2) – see below

If you are not sure, send us an email with the details & request guidance: info@bcorl.ca

Do all forms of communications count as lobbying?

Communicating directly with a public office holder, where the content of the communication meets the definition of “lobby”, is a potential lobbying activity. This includes all forms of communications, such as in person, by phone, email, letter, text, fax, and social media.

These communications are reportable lobbying activities if they are an attempt to influence any of the matters set out in the definition of “lobby”. For example, if an in-house lobbyist for your organization tweets or re-tweets content that meets the definition of “lobby” AND it is directed at a senior public office holder (e.g. @MLA), it needs to be reported as a lobbying communication in a Lobbying Activity Report.

Do any of the exclusions apply?

1. Section 1 (4): organizations whose primary purpose is **not** to promote or oppose issues or to represent the interests of the organization’s members, with fewer than 6 employees, lobbying fewer than 50 hours in a year. If your organization meets **all** of these criteria, it is not required to register.
2. Section 2 (2) (a): public submissions made to a committee of the Legislative Assembly or to another government body with statutory authority. These are not lobbying activities.
3. Section 2 (2) (b): submissions on behalf of a person or organization about enforcement, interpretation or application of an Act or regulation as it relates to the person or organization, or about implementation or administration of a program, policy, directive or guideline as it relates to the person or organization. This is about how an existing law, program, or policy applies to a specific person or organization. These are not lobbying activities.
4. Section 2 (2) (c): submissions made in direct response to a written request from a public office holder for advice or comment. These are not lobbying activities.
5. Section 2 (2) (d): communications with an MLA by or on behalf of one of the MLA’s constituents, with respect to a personal matter of the constituent. These are not lobbying activities.

Note on communications
If communications fit strictly within the terms of any subsection of Section 2(2) they are not lobbying activities that need to be reported. If these are the only kinds of communications your organization has with public office holders, your organization is likely not required to register.

6. Section 1 (3) provides that several categories of people are not lobbyists when acting in their official capacity (e.g. MLAs; Cabinet members; staff of MLAs and Cabinet members; employees, officers & directors of Provincial entities).
7. Section 2 (1) provides that the LTA does not apply to several more categories of people when acting in their official capacity (e.g. federal MPs; MLAs from other provinces; members & staff of municipal bodies; members & staff of aboriginal governing bodies).
8.

People in the categories listed in Section 1 (3) and Section 2 (1) are not lobbying if they are acting in their official capacity during their communications with public office holders.

What kind of lobbyist are you?
There are only two types of lobbyists in BC:

- *consultant lobbyists*, who act for one or more clients
- *in-house lobbyists* who are employees, officers or directors of an organization that is lobbying.

Consultant lobbyists are paid to lobby on behalf of clients on a contract basis, whereas I**n-house lobbyists** are employees, officers or directors of an organization who receive payment for the performance of their functions and engage in lobbying communications on behalf of that organization or an affiliate.

There is more information about registration of in-house lobbyists below, in the OVERVIEW OF THE REGISTRY section.

The LTA does not apply to lobbying by volunteers. If all representatives of the organization who lobby are true volunteers, then the organization does not need to register.

The LTA defines “payment” to mean money or anything of value, including a contract, promise, or agreement to pay. Payment does not include reimbursement of reasonable expenses. Reimbursement for reasonable expenses does not change the status of volunteers.

Payment does not need to be explicitly for lobbying. An employee, officer, or director of an organization meets the definition of “in-house lobbyist” if they receive payment for any of their functions AND they lobby on behalf of the organization or an affiliate.

The individual’s job title/job description does not need to include “lobbyist” for them to be considered an in-house lobbyist.

Only report communications with public office holders carried out by individuals who receive a form of payment. Do not report communications carried out by volunteers. Not sure whether officers or directors are actually volunteers? Send us an email with the details & request guidance: info@bcorl.ca

A note regarding volunteers

If the activities of an officer or director are related to their functions for another organization, and they receive payment from the other organization, they may not be considered true volunteers.

For example, officers/directors from companies/societies that are members of an umbrella association serve as directors of the umbrella association and lobby at the provincial government level. They do this off the side of their desks with their base employers. The umbrella association does not pay them, but they are paid by their base employers, and they would not be an officer or director of the umbrella association if not for their employment. They are not volunteers, because they are receiving payment. They must be listed as in-house lobbyists for the umbrella association and any lobbying activities carried out by these directors for the umbrella association needs to be reported by the umbrella association.

Who is a "public office holder"?

The term "public office holders" includes unelected officials in the BC government and Provincial entities as well as elected Members of the Legislative Assembly (MLAs).

All of these may be public office holders:

- MLAs & members of cabinet
- staff of MLA or member of cabinet
- any employee of the government of British Columbia
- people appointed by or with the approval of Cabinet or a minister*
- an officer, director, or employee of some Provincial entities.

*such as appointed board members of BC agencies
(but not judges or independent officers like the Ombudsperson or the Registrar)

If you are not sure whether you are lobbying a public office holder, email the ORL info@bcorl.ca

Who is a "senior public office holder"?

Senior public office holders are a subset of public office holders.

All of these may be senior public office holders:

- Premier and ministers
- Staff of premier/staff of ministers (other than administrative support staff)
- MLAs
- Staff of MLAs (other than administrative support staff)
- Parliamentary secretary
- Deputy minister, chief executive officer, positions of comparable rank in a ministry
- Associate deputy minister, assistant deputy minister, positions of comparable rank in a ministry
- The two most senior ranking executive positions in a Provincial entity
- Chair, vice chair, equivalent position in governing body of a Provincial entity

If you are not sure whether you are lobbying a senior public office holder, email the ORL info@bcorl.ca

Why does it matter whether they are a public office holder or a senior public office holder?

When you are lobbying a public office holder, you report it in your Registration Return by identifying their Ministry or Provincial entity. You do not identify the individual public office holder in your Registration Return.

When you are lobbying a senior public office holder, you report it in a Lobbying Activity Report. You name the senior public office holder, their title & their Ministry or Provincial entity, the date of lobbying activity directed at the senior public office holder, and the subject matter about which you lobbied them on that date.

My organization is getting ready to lobby. Can I submit the Registration Return now?

Don’t register until you are actually lobbying.

You can create & activate the Designated Filer account (and Representative accounts) ahead of time. You can prepare a draft Registration Return ahead of time, and contact the ORL with questions ahead of time.

Do not certify & submit the new Registration Return until your first lobbying activity has occurred. You have 10 days to submit the Registration Return.

For other deadlines - see **Timelines & Deadlines** below.

What kinds of information do I put in my Registration Return?

Organizations:

- Contact info for Designated Filer, Representative & organization
- Gifts or benefits provided to public officer holders being lobbied
- Whether your organization is a member of a coalition related to the lobbying activities
- Affiliates like parent companies, subsidiaries, sister companies with a direct interest in the outcome of the lobbying activities
- Third parties with a direct interest in the outcome of the lobbying activities
- Contributions of $1000 or more toward the lobbying activity by person/organization with a direct interest in outcome of lobbying activities, in last 12 months
- Whether each in-house lobbyist made political, sponsorship or recall contributions since the date of writ for last provincial election
- Additional information about each in-house lobbyist (see **In-House Lobbyists** section below)

- Government funding <u>from any level of government</u> requested or received by your organization in the preceding 12 months
- Specific topics of lobbying communications
- Public agencies being lobbied (includes Members of the Legislative Assembly as a category)

Consultant lobbyists:

- Contact information for you, your consulting firm, and your client
- Your former public office holder positions (BC only)
- Gifts or benefits provided to public officer holders being lobbied
- Whether you or your client made political, sponsorship or recall contributions since the date of writ for last provincial election
- Whether your client is a member of a coalition related to the lobbying activities
- Affiliates like parent companies, subsidiaries, sister companies with a direct interest in the outcome of the lobbying activities
- Third parties with a direct interest in the outcome of the lobbying activities
- Contributions of $1000 or more toward the lobbying activity by person/organization with a direct interest in outcome of lobbying activities, in preceding 12 months
- Government funding <u>from any level of government</u> requested or received by the client, in the preceding 12 months
- Specific topics of lobbying communications
- Public agencies being lobbied (includes Members of the Legislative Assembly as a category)

What kinds of information do I put in my Lobbying Activity Reports?

1. First step: check & confirm information in your Registration Return is up to date. In particular, add any new topics of lobbying communications.
2. Then complete the Lobbying Activity Report:
   - Date of the lobbying activity
   - How many senior public office holders were lobbied during this particular lobbying activity
   - Name, title, Ministry or Provincial entity in which they work
   - Specific topics lobbied about during this particular lobbying activity. These will be carried over from the Registration Return.

Arranging a meeting

If a lobbyist arranges a meeting for other people to meet with a public office holder in order for those other people to lobby the public office holder, that is a "stand-alone" lobbying activity.

How to Report having Arranged a Meeting

Registration Return: In Step 6 you must state whether a lobbyist has arranged or will arrange a meeting between a public office holder and any other individual for the purpose of lobbying.

Lobbying Activity Report: If a lobbyist arranged a meeting between a senior public office holder and any other individual for the purpose of lobbying, report that in a Lobbying Activity Report submitted by the 15th of the following month. File a Lobbying Activity Report for having arranged a meeting if:

- You (lobbyist) arranged a meeting with a senior public office holder for the purpose of lobbying, on behalf of an individual other than - or in addition to - yourself; AND
- The request for a meeting has been accepted/some details are confirmed.

7 Tips about Arranging a Meeting

1. It is only a stand-alone lobbying activity that needs to be reported if a lobbyist arranged a meeting with a public office holder, on behalf of an individual other than, or in addition to, the lobbyist.
2. If you (the lobbyist) arranged a meeting that only involves yourself and a senior public office holder, do not file a Lobbying Activity Report for having arranged the meeting. Just file a Lobbying Activity Report to report any lobbying that took place at the meeting itself.
3. The meeting must be for the purpose of lobbying. If the meeting was not arranged for the purpose of lobbying, arranging it is not a lobbying activity that needs to be reported.
4. A mere request for a meeting does not need to be reported.
5. A meeting is not "arranged" until the request for a meeting has been accepted/some details are confirmed by the public office holder or their staff.
6. The date for a Lobbying Activity Report to report having arranged the meeting is the date the senior public office holder accepted the request for a meeting and some of the details are confirmed.
7. **For administrative support staff who are not lobbyists**: if you are not a lobbyist, scheduling a meeting between a lobbyist and a public office holder does not make you a lobbyist and you do not need to report having arranged (scheduled) the meeting.

See FAQs under the heading "Arranging a Meeting".

Timelines & Deadlines

Registration Return

Submit a new Registration Return within 10 calendar days <u>after</u> the first lobbying activity.

Re-activate a previously active Registration Return within 10 calendar days of resuming lobbying activity (if the registration was de-activated).

Monthly Returns

File Lobbying Activity Reports & updates to the Registration Return by the 15th of following month, **IF** there is lobbying activity to report, or a change to the information in the Registration Return.

6-month returns

If you do not report any lobbying activity and do not update your Registration Return for 5 consecutive months, the Designated Filer, Representative & any other organization contacts will get an automated email with instructions/steps to:

1. Keep the Registration Return active; or
2. De-activate the Registration Return (can be re-activated when you are lobbying again).

The email will have instructions for the 2 options:

1. **To keep your Registration Return active**, review the information in the Registration Return to see if it is up to date. Make any changes needed. Certify & submit the Registration Return to the Registry by the deadline in the email. **Dates:**
    - If you have a change to report, enter the date the change took place
    - If you have no change to report, enter the date you submit the 6-month return.
2. **To de-activate your Registration Return** because you are not lobbying any more, follow the instructions in the email to “End Activity”. (If/when you resume lobbying activities, you have 10 days to reactivate your Registration Return.)

If you do not take action after receiving the 6-month return email, the system will automatically de-activate your Registration Return.

Two changes you have to report within 30 days

There are only 2 exceptions to the general rule that changes to the information in the Registration Return must be reported by the 15th of the following month. You must report these 2 changes within 30 days of the event:

- an in-house lobbyist ceased lobbying for the organization

- a consultant lobbyist's undertaking ended.

OVERVIEW OF THE REGISTRY

Three separate elements of registration

1. Account
2. Registration Return
3. Monthly Returns: Lobbying Activity Reports/keep your Registration Return up-to-date

Quick Summary

You need a Designated Filer account to submit a Registration Return and Lobbying Activity Reports to the on-line Registry.

A Registration Return or update can only be certified & submitted to the Registry after entering the user name & password of a Designated Filer account.

A Lobbying Activity Report can only be certified & submitted to the Registry after entering the user name & password of a Designated Filer account.

The Registration Return & Lobbying Activity Reports can be prepared by a person with a Representative account, but must be submitted to the Registry via the user name & password on the Designated Filer account.

Types of accounts

There are Designated Filer & Representative accounts, for both organizations and consultant lobbyists.

Designated Filer

The term "Designated Filer" is defined in the LTA. Designated Filers are legally responsible for the accuracy of the information submitted to the Registry.

The most senior paid officer of the organization lobbying in BC, and consultant lobbyists, are Designated Filers.

If you're not sure who should be the Designated Filer, email us with questions: info@bcorl.ca

The Designated Filer must create & activate their own account. See Account Management

- Create a New Organization Account
- Create a New Consultant Lobbyist Account

Designated Filer – Organizations

For organizations (e.g. companies, societies, associations, co-ops), the Designated Filer is the most senior officer who receives payment for performing their functions on behalf of the organization.

There is no requirement that payment to the Designated Filer come from the organization that is lobbying. If payment comes from another source but is related to their functions on behalf of the organization that is lobbying, the Designated Filer is receiving payment for performing their functions.

The Designated Filer does not need to be a lobbyist.

The Designated Filer does not need to live in or lobby in BC.

Designated Filer - Consultant Lobbyists

A consultant lobbyist is someone who is paid on a contract basis to lobby on behalf of a client.

Consultant lobbyists have just one account in the Lobbyists Registry, but may have multiple Registration Returns (one for each client). Consultant lobbyists use their one account to prepare & maintain a separate Registration Return for each of their clients.

Consultant lobbyists are the Designated Filer on each of their Registration Returns.

Note regarding Previous accounts
If you had a previous registration in the current Registry or the legacy registry (2010 to May 4, 2020), you already have an account. **Do not create a new account.** See [User Guide - Accounts and Registrations from the Previous Registry] and email us with questions: info@bcorl.ca

Representative Accounts

The Designated Filer may delegate the duties of preparing & maintaining the Registration Return and Lobbying Activity Reports to a trusted person with a Representative account.

A Representative prepares documents & manages the filings on behalf of a Designated Filer who has authorized the Representative's access to the Designated Filer's account.

The Designated Filer may authorize access to their account by more than one Representative.

A Representative must create their own account. Then the Designated Filer authorizes access by that Representative to the Designated Filer's account.

Note regarding Representative accounts
Registration Returns, updates to Registration Returns, and Lobbying Activity Reports can be prepared by a person with a Representative account – but must be certified & submitted to the Registry after entering the user name and password of the Designated Filer.

A person with a Representative account may be authorized to have access to more than one Designated Filer's account. A Representative may prepare filings for more than one organization or consultant lobbyist.

Representatives get copies of notifications sent to their Designated Filers.

See User Guide - Account Management and Quick Reference Guide for Representatives

Note regarding different types of accounts
You should only ever have one account with the Lobbyists Registry. You can be a consultant lobbyist AND the designated filer for an organization AND a Representative with the same account. Sign in with your user name & password to perform all your functions, then prepare separate Registration Returns and Lobbying Activity Reports for each registration. **If you need to use your account for multiple functions, email us at info@bcorl.ca so we can change the status of your account.**

Versions

Every time you submit updates to your Registration Return, the system creates a new version.

The current activated version & all previous activated versions are available in a public search.

Previous versions are also visible to you from your Registration Summary page when logged in.

When you prepare a Lobbying Activity Report for a particular date, it is linked to and draws information from the version of Registration Return that was active at that date.

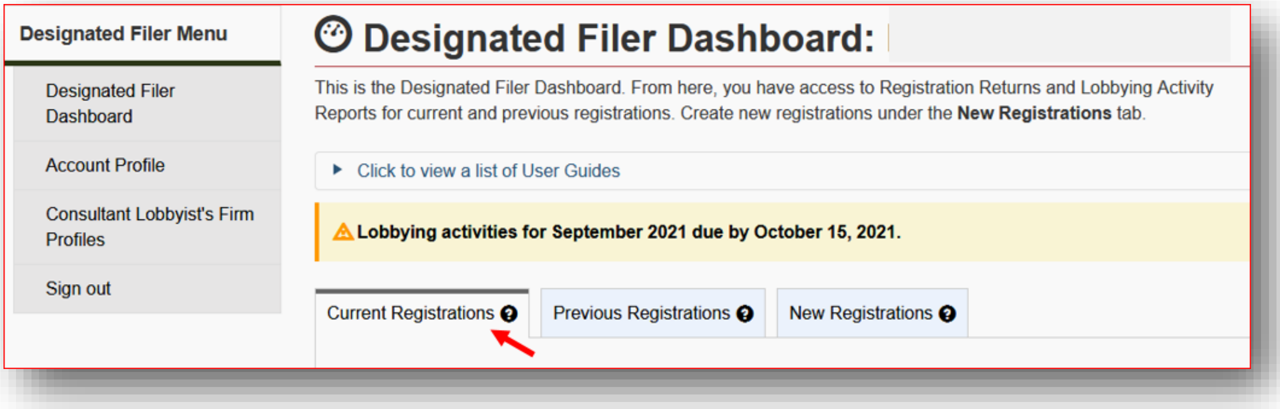
How to navigate your Dashboard

Designated Filer's Dashboard is explained with screenshots in the User Guides. See:

- User Guide – Organization Registration Returns
- User Guide - Consultant Lobbyist Registration Returns

Representative's Dashboard is explained with screenshots in the User Guides. See
- User Guide – Organization Registration Returns
- User Guide - Consultant Lobbyist Registration Returns

Active registrations are under the "Current Registrations" tab.



Active Registration Returns and Pending Registration Returns are just different versions of the same Registration Return.

An **Active Registration Return** is the most recent version that the public sees in the Registry. It has been activated by Registry staff. You can view, update, or end this Registration Return. You can also create Lobbying Activity Reports for this registration.

A **Pending Registration Return** is created when you begin a new Registration Return, or an update or reactivation, but have not yet certified & submitted it to the Registry for activation.

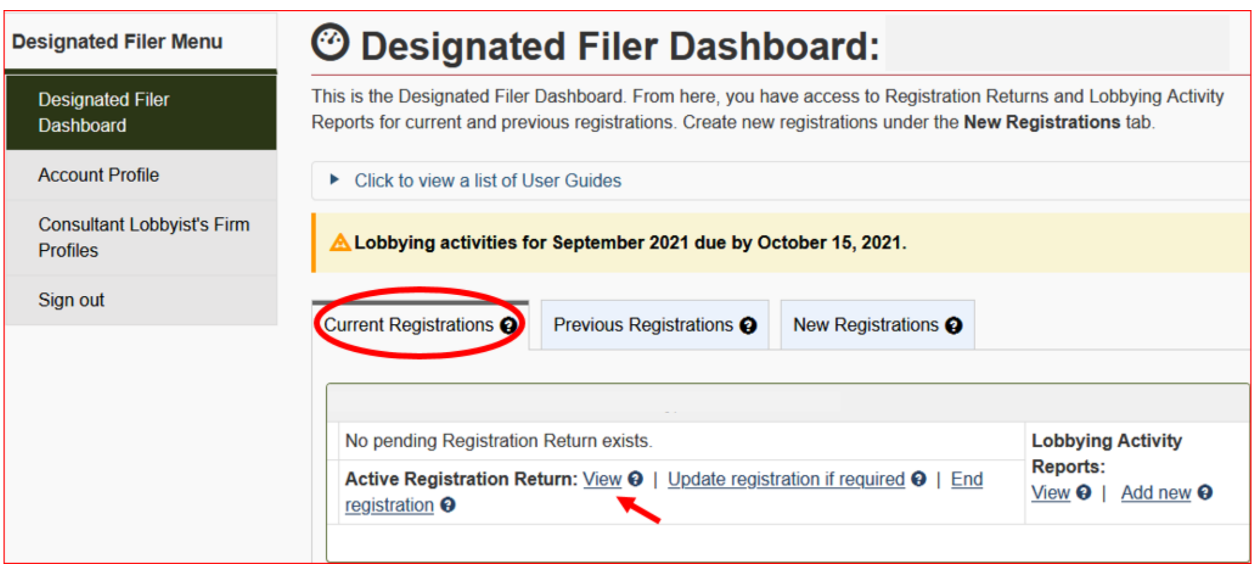
You will see one or more links beside **Pending Registration Return/Active Registration Return**. Click the information buttons beside each link to see an explanation.

Status of Registration Returns under the Current Registrations Tab

View	Click to see the active Registration Return
Update registration if required	Click to update the active Registration Return. This creates a pending Registration Return which you can edit and submit for activation.
Incomplete	You started a new Registration Return or an update to an existing Registration Return or started to reactivate an inactive Registration Return. Information is still required. Click to review/edit & submit the Registration Return to the Registry for activation.

Requires certification	You started a new Registration Return or an update to a Registration Return or started to reactivate an inactive Registration Return. Click to review/edit & submit the Registration Return to the Registry for activation.
Delete pending	Click to delete a pending new, update or reactivation of a Registration Return that has not been activated by Registry staff. Note: If there is an existing active registration, it will not be affected.
Correction required	You submitted a new Registration Return or an update to a Registration Return or a reactivated Registration Return. Registry staff sent it back to you for correction. You may receive an email with details. Click to see notes from staff & enter corrections.
Submitted	You submitted a new Registration Return or an update to an existing Registration Return or a reactivated Registration Return to the Registry. Click to view the submitted Registration Return.
End registration	Click to deactivate an active registration if lobbying activity has stopped. **Note: you must reactivate a Registration Return within 10 days of resuming lobbying activity.**

Just want to look at your Registration Return? Click the **View** link



Need to update a Registration Return? Click the appropriate link (see explanation of links above, under the heading **Status of Registration Returns under the Current Registrations Tab)**

In the screenshot below, the Active Registration Return is the version already activated in the Registry.

The Pending Registration Return will become the Active registration once it is certified & submitted to the Registry for activation.

If you do not want to proceed with changes to the Registration Return, click the **Delete pending** link.

Once all current updates are entered, the Designated Filer must certify & submit the updated Registration Return to the Registry for activation.

How to prepare a Registration Return - Organizations

See full-length & quick user guides

- Organization Registration Returns
  (Full-length guide walks you through the process with screenshots)
- Quick Reference Guide for Organizations

How to prepare a Registration Return - Consultant Lobbyists

See full-length & quick user guides

- Consultant Lobbyist Registration Returns
  (Full-length guide walks you through the process with screenshots)
- Quick Reference Guide for Consultant Lobbyists

Date screens

1. **When you create a Registration Return**

The New Registration - Start Date for a new Registration Return is the date of the first lobbying activity for this client.

For organizations that lobbied before May 4, 2020 but were not required to register because they did not reach the previous "threshold" to register: the start date of your new Registration Return is the date of the first lobbying activity **since May 4, 2020**.

2. **When you Re-activate a Registration Return**

The start date of a Re-activation is the date you resumed lobbying.

3. **When you update a Registration Return**

Click on the appropriate link to update your Registration Return (see explanation of links above, under the heading **Status of Registration Returns under the Current Registrations Tab**).

Enter the date of the update/check that the date of the update is correct.

When did the change take place?

If you only have <u>one change to report</u>, the date of the update should be the date the change took place. (Example: you requested new government funding February 16, 2021 → the date of the update to the Registration Return should be February 16, 2021).

If you have <u>multiple changes to report</u>, the date of the update should be the date the first change took place. (Example: you requested new government funding on February 12 & started lobbying about a new topic February 24 & a new in-house lobbyist began lobbying February 26 → the date of the update to the Registration Return should be February 12).

If you later realize you entered the wrong date, click the **Edit** button beside the date near the top of the Summary screen.

Legal Name of Organization or Client

Enter the complete & **exact legal name** of the organization or client. If it is a registered company or society, enter the name as the name is shown in the corporate registry.

Not sure of exact legal name? Please check before you submit.

Contact Info

Enter at least one additional email address in the contact information for the organization. Additional email addresses receive notifications from the Registry. Email addresses are not visible in a public search of the Registry.

Gifts & Benefits

The LTA has a gift-giving **prohibition.** Lobbyists are prohibited from giving gifts to public office holders. There is a very limited exception to the prohibition, and reporting requirements related to any gift or other benefit given by a lobbyist to a public office holder being lobbied.

See FAQs and LOBBYIST GIFTS

Coalitions

Coalitions carrying out lobbying activities are subject to the same basic rules as any other organization lobbying at the provincial government level in BC. If an organization is a coalition and it is carrying on lobbying activities in BC, it must register and report its lobbying activities as required by the LTA.

If a coalition hires a consultant lobbyist to lobby on its behalf, the consultant lobbyist will need to submit a Registration Return and the Monthly Returns required to register those lobbying activities, as they would for any client.

The LTA has separate reporting requirements for organizations that are members of coalitions, where the organizations are also engaged in lobbying activities of their own.

See FAQs and COALITIONS

Affiliates and Contributors with a Direct Interest

The LTA requires lobbyists to declare information about third parties that may be influencing the lobbying activities of a client or organization.

See FAQs and BUSINESS RELATIONSHIPS: AFFILIATES AND OTHERS WITH AN INTEREST IN LOBBYING ACTIVITIES

In-house Lobbyists

In-house lobbyists do NOT need their own accounts. Information about in-house lobbyists is entered in the Registration Return of the organization by the Designated Filer or Representative.

In-house lobbyists are employees and paid officers or directors who are actually lobbying.

All employees and paid officers or directors of an organization who carry out any lobbying activities on behalf of their organization must be listed as in-house lobbyists for that organization.

In-house lobbyists must receive some form of payment for their functions, but payment does not have to be made by the organization that is lobbying.

Click **Add Lobbyist** button to enter details regarding each in-house lobbyist.

For each in-house lobbyist, enter the following information:

- Held a position that meets the definition of "former public office holder" in BC? See FAQs
- Made a political, sponsorship or recall contribution in BC since the date the writ was issued for the last provincial election? See Guide and How to Report
- Undertaking to comply with a relevant code of conduct? See Guide

Click **Add the Designated Filer as a Lobbyist** button if the designated filer is carrying out lobbying activities. The designated filer should not be listed as a lobbyist if they are not carrying out lobbying activities.

Select the name and click the **Edit Selected** button to edit information about an in-house lobbyist. Select the name and click the **Remove Selected** button to remove an in-house lobbyist.

Government Funding

You must report government funding requested and/or received from all levels of government in the 12 months preceding the date you file - or update - your Registration Return.

The "preceding 12 months" is calculated from the date you have entered as the date of your Registration Return or date of the update you are currently submitting.

The general guidelines for government funding are:

Government funding includes	Government funding does not include
• government grants • non-repayable contributions/funding arrangements	• repayable contributions • loans & loan guarantees • payment pursuant to a contract for goods and/or services • tax credits • remission orders

Funding **requests** are separate from funding **received**. Both must be reported, but they do not need to "match up". Think of them as independent items of information that need to be reported.

A request for funding made within the preceding 12 months must be reported even if it has not been received and/or no decision has been made regarding the request.

If you receive funding as a result of a request made > 12 months in the past → do not report the request. Just report the funding received, if received within the preceding 12 months.

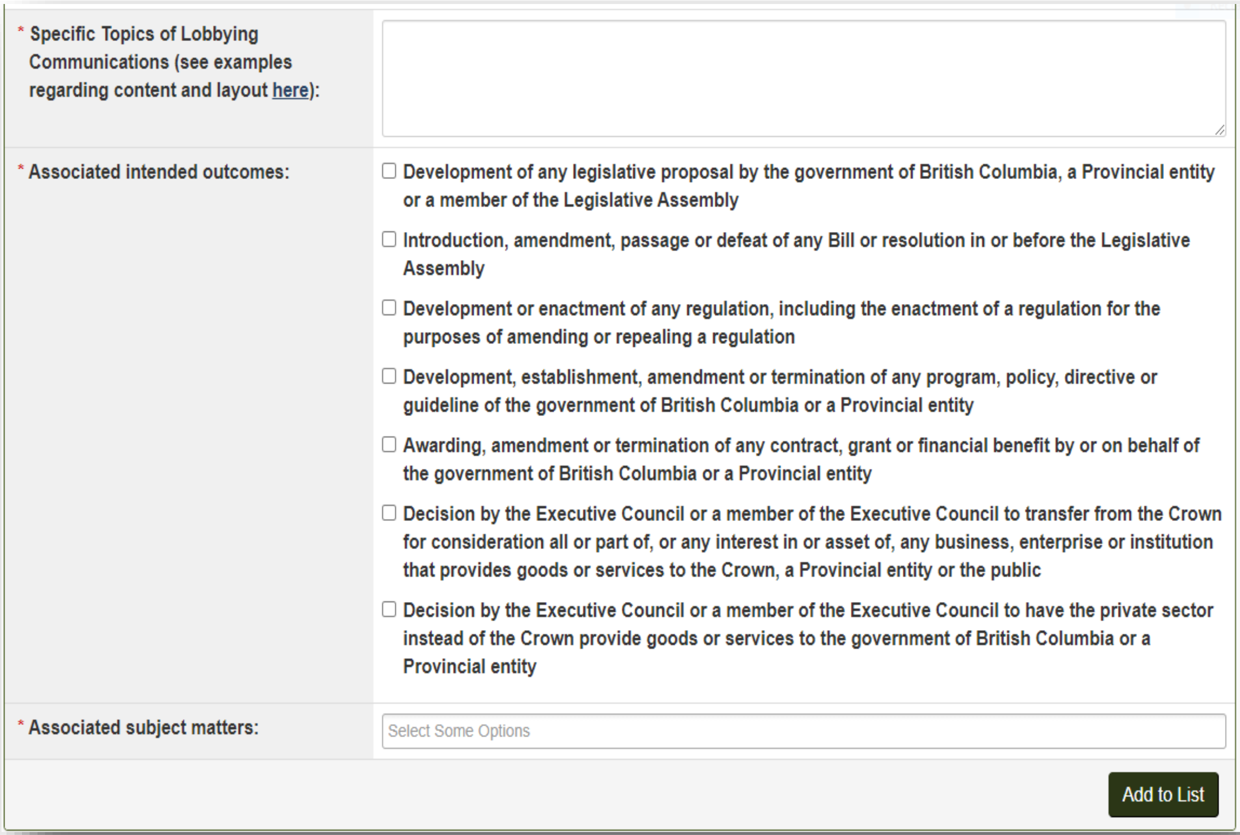
If the end date of the funding received has been extended, make a new entry to report the additional funding not already reported, along with the associated timeframe of the extention.

See GOVERNMENT FUNDING, FAQs and HOW TO REPORT GOVERNMENT FUNDING IN THE LOBBYISTS REGISTRY

Subject Matter of the Lobbying Activities

1. **DESCRIPTION**: Specific Topics of Lobbying Communications
   - Describe specific topics. Use concise wording.
   - The definition of "lobby" includes an "attempt to influence". Refer to the government decision, policy area or type of regulation you are seeking to influence or change.
   - Provide enough detail that readers understand the legislation, policies or decisions you are seeking to influence. Do not provide your "game plan".
   - Do not include wording like "providing information", "educating" or "making the government aware". These activities do not meet the definition of "lobby".

2. **LAYOUT**:
   - Lobbying about more than one topic? Create separate rows.
   - To create a row: enter one topic description, associated intended outcomes and associated subject matters for that topic, then click "**Add to List**".
   - To add another topic, create another row. Enter a separate topic description with associated intended outcomes and associated subject matters for that topic, then click "**Add to List**".
   - Repeat until you are done.



For step-by-step instructions, see [User Guide – Organization Registration Returns]

End result → each topic will be set out in its own separate row. Examples of this are below:

Specific Topics of Lobbying Communications	Intended Outcomes	Associated Subject Matters
Recommendations for technical studies related to reclamation of abandoned oil wells in northern BC	The award, amendment or termination of any contract, grant or financial benefit by or on behalf of the government of British Columbia or a Provincial entity.	Energy, Environment, Regional Development
Amendments to regulations and policies governing transportation and disposal of hazardous waste in BC	Development or enactment of any regulation, including the enactment of a regulation for the purposes	Environment, Transportation, Industry, Emergency Preparedness

	of amending or repealing a regulation. Development, establishment, amendment or termination of any program, policy, directive or guideline of the government of British Columbia or a Provincial entity.	
Additions to Home Renovation Rebate Program	Development or enactment of any regulation, including the enactment of a regulation for the purposes of amending or repealing a regulation. Development, establishment, amendment or termination of any program, policy, directive or guideline of the government of British Columbia or a Provincial entity.	Energy, Environment, Conservation, Consumer Issues

Public Agencies (Ministries/Provincial Entities/ Members of the BC Legislative Assembly)

If you are lobbying MLAs, choose the category **Member(s) of the BC Legislative Assembly** from the drop-down list.

Enter/select the names of the Ministries and Provincial Entities you are lobbying.

Under the LTA, the term “Provincial entity” refers to provincial government agencies outside core government.

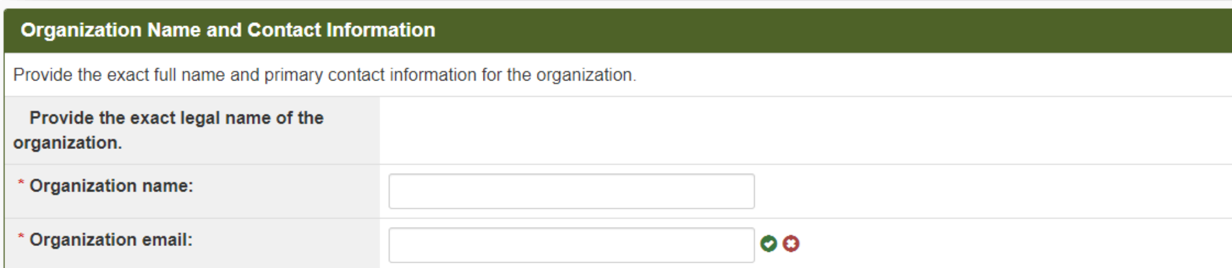
Provincial entities include:

- Crown corporations
- School districts
- Public sector post-secondary institutions, such as colleges and universities
- Health authorities

See Provincial Entities & FAQs. Email our office with questions info@bcorl.ca

10 tips for completing your Registration Return

1. Find the relevant user guides on the [Using the Registry]() landing page. Get a quick run-down of how the Dashboard works & how to navigate the Registry. See the full-length user guides for explanations of the features & symbols used in the Registry.
2. Make sure the correct person has the Designated Filer account. If not, the Registration Return will not be accepted. You will need to start over.
3. Do not submit a new Registration Return until you have begun lobbying activities.
4. Enter the exact/complete legal name of the organization in this section. If you are not 100% sure of the exact/complete legal name, you need to find out.


Organization Name and Contact Information

Provide the exact full name and primary contact information for the organization.

Provide the exact legal name of the organization.

* **Organization name:**

* **Organization email:**

5. Provide the Designated Filer's <u>direct email address</u> where it asks for the Designated Filer's direct business email address, and the email address of at least one additional contact for the organization. Additional email addresses will receive notifications from the Lobbyists Registry. These email addresses are not visible in a public search of the Registry.
6. In-house lobbyists are employees, officers and directors who receive payment and are actually lobbying. If they are true volunteers, they are not lobbyists. If they are not communicating with public office holders about any of the matters in the definition of "lobby", they are not lobbyists.
7. For each client, a consultant lobbyist must complete and file a Registration Return, keep the information in the Registration Return up-to-date, and file Lobbying Activity Reports as needed.
8. **Do not use acronyms or abbreviations unless the meaning will be clear to all readers. However, if there is an acronym or abbreviation in the legal name of the client (e.g. as registered in the Corporate Registry), enter the legal name.**
9. The Designated Filer must certify and submit the new/updated Registration Return to the Registry for activation. Scroll to the bottom of the page and click the **Proceed to Certification** button. Complete the certification screen. Click the **Submit** button to submit the new/updated Registration for review & activation by Registry staff. You will get an email confirming your new/updated Registration Return has been successfully

submitted. If you do not receive this email, your new/updated Registration Return has not been submitted to the Registry. It is still ‘Pending’.

10. All information in activated Registration Returns and Lobbying Activity Reports (except contact email addresses) is available in a public search of the online Lobbyists Registry.

How to Prepare Lobbying Activity Reports – Organizations/Consultant Lobbyists

See updated User Guide: Monthly Returns and Lobbying Activity Reports

It walks you through the process with screenshots.

It’s the same user guide for Organizations & Consultant Lobbyists.

9 Tips for completing your Monthly Returns (includes Lobbying Activity Reports)

1. Once your Registration Return is activated, you are required to file Monthly Returns by the 15th of the following month **if there is anything to report.**
2. There are two elements to Monthly Returns:
   - keeping information in the Registration Return up to date; and
   - filing Lobbying Activity Reports.
3. No need to file a ‘NIL’ report. If the information in your Registration Return is up to date, and you/your organization has no lobbying activity in the preceding month to report, you do not need to file a Monthly Return in the current month.
4. **6-month returns** - If you have not filed any Lobbying Activity Reports or updated the information in your Registration Return for 5 consecutive months, you will get an automated email. Take action or the Registration Return will be de-activated.
5. Submit updates to the information in your Registration Return by the 15th of the month following any changes. Submit a Lobbying Activity Report by the 15th of the month following the lobbying activity. These can be done separately or at the same time.
6. **You don’t need to wait until the 15th!** Registry staff are extremely busy in the week leading up to the 15th each month and may not be able to respond to questions quickly. Delays from Registry staff in responding to questions will not provide an exemption to the filing deadlines.
7. We suggest you diarize a reminder for the first week of each month to prepare updates to the Registration Return and/or Lobbying Activity Reports for the preceding month.
8. You can amend a Lobbying Activity Report after it is posted. Follow the steps in the user guide Monthly Returns and Lobbying Activity Reports, January 2021. See pages 52 – 55.

MISCELLANEOUS

Change of Designated Filer (for organizations when the most senior officer changes)

If the new senior officer does not already have an account with the BC Lobbyists Registry, the instructions are here: Account Management pages 44 – 48.

When the new Senior Officer creates a new account and enters the exact name of the organization as it is currently entered in the Registry, the system will transfer the current registration to the new Senior Officer/Designated Filer.

If the new Senior Officer already has an account with the BC Lobbyists Registry, the process is different. Please contact our office (info@bcorl.ca).

Update a Registration Return

Organization Registration Returns - **UPDATING AN ORGANIZATION REGISTRATION RETURN**

Consultant Lobbyist Registration Returns - **UPDATING A CONSULTANT LOBBYIST REGISTRATION RETURN**

De-activate and re-activate a Registration Return
Organization Registration Returns – **END, RE-ACTIVATE, OR DELETE A REGISTRATION RETURN**
Consultant Lobbyist Registration Returns - **END, RE-ACTIVATE, OR DELETE A REGISTRATION RETURN**

Change password, security questions, update your account
Account Management

Edit Organization/Client name

Organizations: go to the Organization Name section of the Registration Return, click the **Edit** button in the heading of that section, enter the exact legal name of the company, then Save, certify and re-submit.

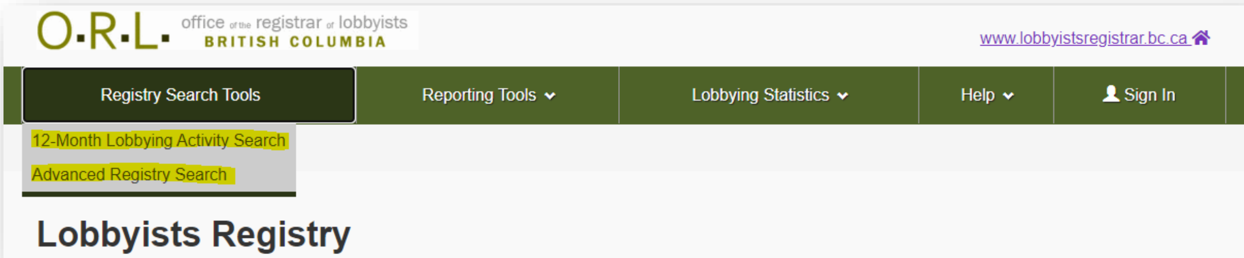
Consultant lobbyists: go to the Client Information section of the Registration Return, click the Edit button in the heading of that section, enter the exact legal name of the client, then Save, Certify and Submit.

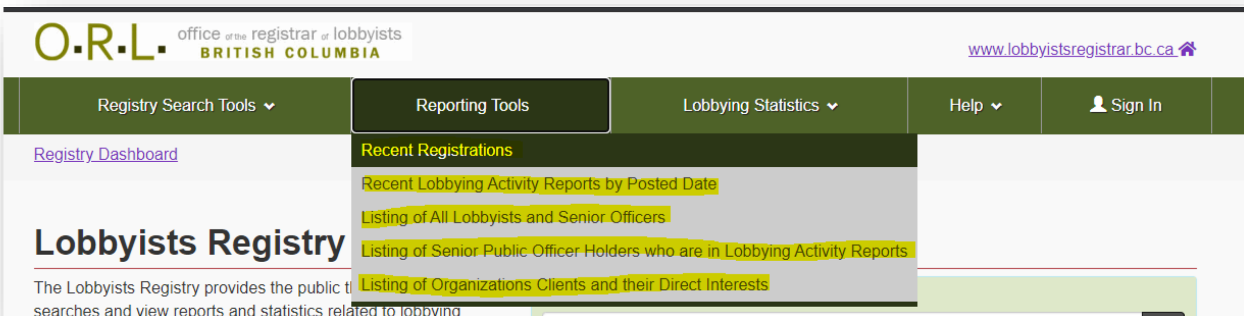
Public search of Lobbyists Registry (no log-in needed)

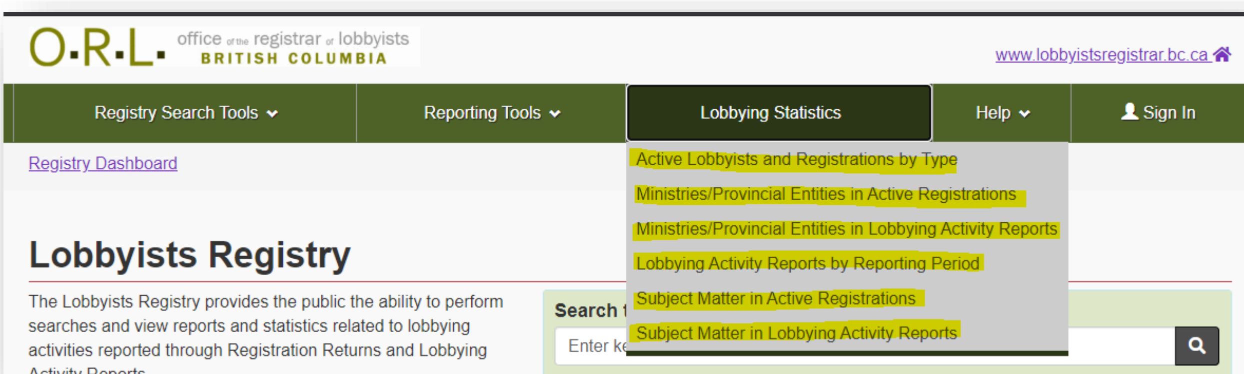
Go to the Lobbyists Registry landing page
https://www.lobbyistsregistrar.bc.ca/app/secure/orl/lrs/do/guest

The most recently-filed Registration Returns, updated Registration Returns, and Lobbying Activity Reports are listed on the left of the page. Click the little icon in each listing to open & look at the Registration Return or Lobbying Activity Report.

For more thorough searches, use these tools:







Investigations and reports of non-compliance – summary & links

The Registrar of Lobbyists has the legal authority to investigate individuals and organizations in BC to ensure they properly register their lobbying activities in the online public registry. The Registrar may impose administrative penalties including fines and prohibitions on lobbying. See:

- Guide to Investigations
- Reports of non-compliance

OTHER RESOURCES

Website: https://www.lobbyistsregistrar.bc.ca/

- Using the Registry (Landing page for User Guides)
- Frequently Asked Questions (Try the keyword search)
- Guidance Documents (Landing page for guidance docs)
- Glossary

The user guides, FAQs and guidance documents are updated as needed. It is best to access them electronically rather than printing them for reference.

Which user guide do I need?

Account Management – screenshots to

- Create & activate a new Designated Filer or Representative account
- Transfer an organization's registration to a different Designated Filer
- Update accounts

Organization Registration Returns – screenshots to

- explain the Dashboard
- use the Registry
- complete the Registration Return for an organization
- update the Registration Return for an organization
- de-activate & re-activate a Registration Return
- view a previous version of your Registration Return

Consultant Lobbyist Registration Returns - screenshots to

- explain the Dashboard
- use the Registry
- complete the Registration Return for a client
- update the Registration Return for a client
- de-activate & re-activate a Registration Return

- view a previous version of a Registration Return

Monthly Returns and Lobbying Activity Reports - screenshots to

- create & submit a Lobbying Activity Report
- update your Registration Return only
- update your Registration Return and create a Lobbying Activity Report
- amend or cancel a Lobbying Activity Report

Accounts and Registrations from the Previous Registry - screenshots to

- re-activate an account from the legacy registry (the registry prior to May 4, 2020)
- re-activate a terminated registration from the legacy registry

Quick Reference Guide for Organizations
Quick Reference Guide for Consultant Lobbyists
Quick Reference Guide for Representatives

Legislation & Regulation

Lobbyists Transparency Act
Lobbyists Transparency Regulation