

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



**ANNUAL REPORT
2020-21**

WHO WE ARE

The Registrar of Lobbyists is an independent Officer of the Legislature who oversees, monitors, and enforces the *Lobbyists Transparency Act* (LTA). The Lobbyists Registration Amendment Act (2018) changed the name of the LRA to the LTA on May 4, 2020. Therefore, the LTA was the applicable legislation during the period covered by this report.

The LTA requires individuals and organizations who meet specific criteria to register their lobbying activities in an online public Registry.

The goal of the LTA is to promote transparency in lobbying and government decision-making.

Michael McEvoy, Information and Privacy Commissioner for BC, is designated as Registrar of Lobbyists for BC.

OUR MANDATE

The mandate of the Registrar of Lobbyists is to:

- promote awareness among lobbyists of registration requirements;
- promote awareness among the public of the existence of the Lobbyists Registry;
- manage registrations submitted to the Lobbyists Registry; and
- monitor and enforce compliance with the Act.

HOW WE DO OUR WORK

The Office of the Registrar of Lobbyists for British Columbia (ORL) provides a public record of who is attempting to influence government decisions. The ORL manages compliance through a number of strategies, including education and outreach to lobbyists and public office holders, verification of registration information, public reporting, and administrative penalties for non-compliance.

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September 2021

The Honourable Honourable Raj Chouhan
Speaker of the Legislative Assembly
of British Columbia
Room 207, Parliament Buildings
Victoria, BC V8V 1X4

Dear Honourable Speaker,

In accordance with s. 9.1(1) of the *Lobbyists Transparency Act*, I have the honour to present the Annual Report for the Office of the Registrar of Lobbyists to the Legislative Assembly.

This report covers the period from April 1, 2020 to March 31, 2021.

Yours sincerely,



Michael McEvoy
Registrar of Lobbyists for British Columbia



REGISTRAR'S MESSAGE

LOBBYING OVERSIGHT IN A PANDEMIC: A YEAR OF CHALLENGE AND CHANGE

I am pleased to present the 2020-21 Annual Report of the Office of the Registrar of Lobbyists (ORL).

During this reporting period, my office implemented major changes to BC's lobbying regime. We did so during an unprecedented global pandemic that drastically impacted the way we live and work.

The changes to BC's lobbying legislation that came into force on May 4, 2020 with the *Lobbyists Transparency Act* (LTA) were timely. Many organizations were profoundly affected by the pandemic and lobbied government to ensure matters impacting them were addressed. The information conveyed to government was critical for government to make decisions about directing resources in a time of crisis. It was and is also vital for transparency and accountability in a democratic system of government that the public know who is influencing those government decisions.

The LTA made lobbying in BC more transparent through several key reforms. Among these was the requirement for lobbyists to file monthly returns detailing their lobbying activities, including declaring promised or actual gifts to office holders.

Lobbyists are also now required to register their activities within 10 days of when they actually begin

“DURING THIS REPORTING PERIOD, MY OFFICE IMPLEMENTED MAJOR CHANGES TO BC’S LOBBYING REGIME. WE DID SO DURING AN UNPRECEDENTED GLOBAL PANDEMIC THAT DRASTICALLY IMPACTED THE WAY WE LIVE AND WORK.”

lobbying — a change from the previous Lobbyists Registration Act (LRA), which required registration as soon as lobbyists were aware they had an undertaking to lobby.

Finally, and significantly for many organizations across the province, the LTA removed the LRA’s exemption for organizations that engage in less than 100 hours of lobbying activity. Previously, that was the number of hours an organization had to reach before they were required to register. Feedback we received in our 2012 consultation made it clear that to many this seemed like a “free pass” for organizations, shielding many activities that should have been transparent. Government agreed and there is no longer such an exemption under the LTA.

These reforms, and the removal of the latter exemption in particular, changed the regulatory landscape for lobbyists trying to influence BC’s decision-makers. Those that had been lobbying now had to familiarize themselves with new filing requirements, while a significant number of organizations that had not previously been required to register their activities were now legally obligated to do so.

The fact that these changes — significant in any context — occurred in the middle of the global COVID-19 pandemic added another layer of complexity and resource challenges for organizations. Recognizing this, I extended the transition period for lobbyists to register from June 15 to September 15.

My team and I also intensified the public outreach and education work we began in the lead-up to the LTA, including a webinar on the LTA; a targeted webinar for non-profits; a roundtable discussion with the social services sector; and a presentation to the Affiliation of Multicultural Societies and Service Agencies of BC. The virtual format necessitated

by COVID-19 enabled our office to reach those who may not have been able to attend in-person events. The feature article on page 8 goes into detail regarding the facets of implementing the LTA during the period covered in this report.

As the LTA came into force, we launched our new Lobbyists Registry. Based on the federal system, the new Registry provides British Columbians with easily accessible information on who is trying to influence government and lobbyists with a streamlined interface to facilitate compliance with the legislation.

I would like to thank everyone who has provided feedback on the Registry and helped us modify it since its launch to ensure that it is as user friendly and efficient as possible. In that respect, I would also like to thank you for your questions. We’re listening and over the course of the period covered in this report we continued to publish guidance and website updates in response to what you discussed with frontline staff.

Finally, a massive thanks to the team of talented and dedicated public servants who have worked with extraordinary commitment and dedication during the unprecedented period covered in this report. We remain committed to continuing this work with lobbyists, the government and the public — ensuring accountability and transparency in the decisions that impact us all, both during these challenging times and beyond.



Michael McEvoy
Registrar of Lobbyists for British Columbia

YEAR IN REVIEW

April 1, 2020-March 31, 2021

April 2020



- 1 ORL publishes **Who's lobbying who** (March 2020).
- 3 ORL releases Webinar #1 about the *Lobbyists Transparency Act*.
- 3 ORL publishes **guidance: Lobbying Activity Report — Consultant Lobbyists and Lobbying Activity Report — Organizations**.
- 16 ORL publishes revised **guidance: Lobbyist Gifts**.
- 20 ORL publishes **user guides — Quick Reference Guide for Consultant Lobbyists and Monthly Returns and Lobbying Activity Reports**.
- 22 ORL publishes **Influencing BC Vol. 10, Issue 1**.
- 22 ORL publishes **guidance: Business Relationships: Affiliates and Others with an Interest in Lobbying Activities**.
- 23 ORL releases **Webinar #2** about the *Lobbyists Transparency Act*.
- 29 Registrar presents to the **Select Standing Committee on Finance & Government Services**
- 29 ORL publishes **multiple user guides — Organization Registration Returns, Consultant Lobbyist Registration Returns, Account Management, Accounts and Registrations from the Previous Registry, Quick Reference Guide for Organizations and Quick Reference Guide for Representatives**.
- 30 ORL publishes **multiple user guides — Sample Questionnaire for Consultant Lobbyists' Clients, Tracking Lobbying Activities for Monthly Returns: Consultant Lobbyists, Sample Questionnaire for Organizations that are Lobbying, and Tracking Lobbying Activities for Monthly Returns: In-house Lobbyists** guidance published.



May 2020

- 1 ORL publishes **Who's lobbying who** (April 2020).
- 2 ORL publishes **FAQs** about the *Lobbyists Transparency Act*.
- 4 **Lobbyists Amendment Transparency Act, 2018** comes into force; BC's lobbying legislation becomes the *Lobbyists Transparency Act*.
- 4 New **Lobbyists Registry** launches.
- 27 ORL publishes **guidance: Registrar of Lobbyists: Guide to Investigations**.



June 2020

- 1 ORL publishes **Who's lobbying who** (May 2020).

July 2020



- 1 ORL publishes **Who's lobbying who** (June 2020).



August 2020

- 1 ORL publishes **Who's lobbying who** (July 2020).
- 24 ORL publishes **guidance: Non-Profit Organizations**.
- 27 ORL publishes **Annual Report**.
- 27 Registrar and ORL staff host **webcast for non-profit organizations**.

September 2020

- 1 ORL publishes report: **Who's lobbying who** (August 2020).
- 15 Transition period ends for lobbyists affected by the COVID-19 pandemic.
- 17 Registrar and ORL staff attend virtual Lobbyists Registrars and Commissioners Network meeting
- 19 Registrar and ORL staff present to the Affiliation of Multicultural Societies and Service Agencies of BC.
- 21 Registrar presents to the Ministry of Social Development and Poverty Reduction's Social Services Sector Roundtable.
- 22 ORL publishes revised **guidance**: Political, Sponsorship, and Recall Contributions.
- 23 ORL publishes **guidance**: Lobbyists During an Election.
- 24 The ORL releases **Investigation Report IR 20-01**.



December 2020

- 1 ORL publishes **Who's lobbying who** (November 2020).



February 2021

- 1 ORL publishes **Who's lobbying who** (January 2020).
- 2 ORL releases **Investigation Report IR 20-03**.
- 23 Registrar and staff attend virtual Lobbyists Registrars and Commissioners Network meeting



March 2021

- 1 ORL publishes **Who's lobbying who** (February 2020).
- 5 ORL publishes **guidance**: **How to Report Government Funding in the Lobbyists Registry guidance** released.
- 5 ORL publishes revised **guidance**: **Provincial entities**.
- 9 Registrar and staff present to Public Affairs Association of Canada, BC Chapter
- 31 End of reporting period.



October 2020

- 1 The ORL **Who's lobbying who** (September 2020).
- 13 ORL publishes **Influencing BC Vol. 10, Issue 3**.
- 21 Registrar and ORL staff present to the Ministry of Environment – Climate Action Secretariat.
- 26 ORL publishes **guidance**: **How to Report Political Sponsorship and Recall Contributions in the Lobbyists Registry**.

November 2020

- 1 ORL publishes **Who's lobbying who** (October 2020).
- 12 Registrar and ORL staff present to Volunteer BC.
- 30 ORL publishes revised **guidance**: **Government Funding**.

January 2021

- 1 ORL publishes **Who's lobbying who** (December 2020).
- 5 ORL publishes revised **guidance**: **Quick Reference Guide for Organizations and Quick Reference Guide for Consultant Lobbyists**.
- 12 ORL publishes revised **guidance**: **Monthly Returns and Lobbying Activity Reports**.
- 19 ORL releases **Investigation Report IR 20-02**.
- 21 ORL publishes revised **guidance**: **Coalitions**.
- 22 ORL publishes **Influencing BC Vol. 11, Issue 1**.
- 25 Registrar submits ORL's **Budget and Service Plan 2021/22-2023/24** to the Select Standing Committee on Finance and Government Services.

TOWARDS THE LOBBYISTS TRANSPARENCY ACT: A NEW REGISTRY, EDUCATION, AND OUTREACH

IN THE MIDDLE OF A GLOBAL PANDEMIC,
LONG-ANTICIPATED AMENDMENTS TO THE
LOBBYISTS TRANSPARENCY ACT (LTA) CAME
INTO FORCE AND A NEW LOBBYISTS
REGISTRY WENT LIVE.

The amendments to the *Lobbyists Transparency Act* build on the *Lobbyists Registration Act* to further enhance transparency in lobbying communications. They include a new requirement for lobbyists to report monthly on lobbying activities directed at senior public office holders. The amendments added a gift prohibition, in which lobbyists are prohibited from giving or promising to give gifts to public office holders they are lobbying. The gift prohibition contains a very limited exception, and there is a requirement for lobbyists to declare all gifts given or promised to public office holders — including the value of the gift, a description of the gift, to whom it was given or promised and the circumstances.

Another new requirement is that lobbyists report political and other specified contributions made to a Member of the Legislative Assembly or their political party or constituency association since the start of the last provincial election. Lobbyists must also now report who controls, directs, or funds lobbying.

The ORL quickly adapted its plans to educate lobbyists and other stakeholders about the changes to the law in the face of the COVID-19 public health crisis. Events and conferences were delivered as webinars to avoid in-person gatherings. The upside to the digital approach was that it greatly expanded the reach of the ORL, who could connect with lobbyists remotely from their offices or homes across the province.

The ORL offered a number of educational sessions, including a general webinar about the LTA, a more targeted webinar for non-profit organizations, a roundtable discussion with the social services sector, and a presentation to the Affiliation of Multicultural Societies and Service Agencies of BC (AMSSA). These events were an important way for the ORL to not only talk about the Act and recent amendments, but to hear valuable feedback and questions from stakeholders.



Staff at the ORL also published 25 guidance documents and user guides, including a series of frequently asked questions during the past year so that lobbyists could simply access information about the amendments online. These documents are available on the ORL website and range from general guidance, such as the *Getting Started Reference Guide* for those new to registering lobbying activities, to more specific guidance such as *Lobbyists Gifts and How to Report Political, Sponsorship, and Recall Contribution in the Lobbyists Registry*.

Beyond webinars and guidance documents, there remained a great need for information and assistance from the ORL. As lobbyists navigated the new legislation and more sophisticated online registry, the volume of requests for information to ORL staff rose by 359%, from 1,192 requests in the previous year to 5,206 requests in 2020-21. There was also an increase in verification of information provided in Registration Returns. This important step supports transparency by ensuring that the information

entered into the Lobbyists Registry is accurate. The number of verifications completed by ORL staff rose by 376%, up from 317 verifications in the previous year to 1,805 verifications during 2020-21.

“The ORL’s public education work and support work will continue in 2021-22,” said Michael McEvoy, Registrar of Lobbyists. “The goal is to ensure that the legislation is understood so that lobbyists can achieve a high rate of compliance with the LTA.”



lobbyistsregistrar.bc.ca

YEAR IN NUMBERS

COMPLIANCE STATISTICS, 2020-21

COMPLIANCE REVIEWS

Outstanding from 2019-20 fiscal year	2
New for 2020-21 fiscal year	1,803
Total reviews:	1,805
Information confirmed correct	9
Corrections required	1,109
Refuse to investigate (Warning email sent as matter minor or trivial)	687
Led to investigation	0

INVESTIGATIONS

Outstanding from 2019-20 fiscal year	3
New for 2020-21 fiscal year	0
Total investigations:	3
Cease to investigate	0
Compliant with Act	0
Non-compliant with Act (no penalty)	0
Non-compliant with Act (administrative penalty imposed)	3
Ongoing at end of 2020-21 fiscal year	0

EXEMPTION DECISIONS

New for 2019-20 fiscal	0
Ongoing at end of 2020-21	0

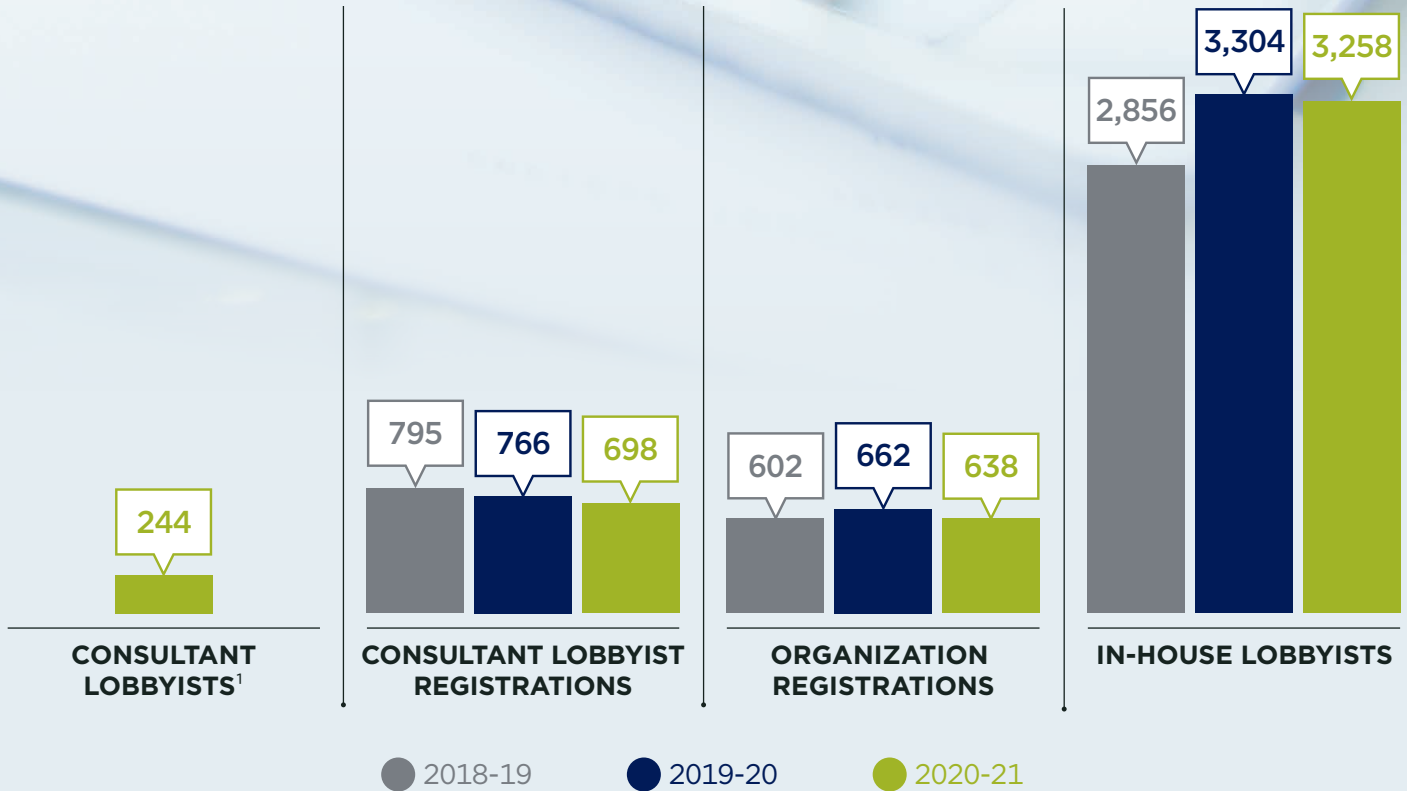
REQUESTS FOR INFORMATION

2020-21	5,206
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LOBBYING ACTIVITY REPORTS COMPLETED

2020-21	6,855
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ACTIVE REGISTRATIONS



¹ This number reflects the number of consultant lobbyists registered between May 4, 2020 and March 31, 2021. The previous Lobbyists Registry system only captured the number of consultant lobbyist registrations, not the number of consultant lobbyists.

YEAR IN NUMBERS

LOBBYING TARGETS, 2020-21

IN REGISTRATION RETURNS

Member(s) of the BC Legislative Assembly	550
Ministry of Finance	500
Office of the Premier	476
Health	455
Jobs, Economic Recovery and Innovation	442
Environment and Climate Change Strategy	383
Energy, Mines and Low Carbon Innovation	310
Forests, Lands, Natural Resource Operations, and Rural Development	249
Advanced Education and Skills Training	244
Indigenous Relations and Reconciliation	238

IN LOBBYING ACTIVITY REPORTS

Member(s) of the BC Legislative Assembly	1,308
Energy, Mines and Low Carbon Innovation	940
Office of the Premier	801
Forests, Lands, Natural Resource Operations, and Rural Development	790
Health	647
Environment and Climate Change Strategy	613
Jobs, Economic Recovery and Innovation	519
Finance	478
Education	340
Labour	259

TOP 10 SUBJECT MATTERS, 2020-21

IN REGISTRATION RETURNS

Health	476
Environment	386
COVID-19	382
Economic Development and Trade	344
Finances and Budgets	295
Energy	276
Indigenous Relations and Reconciliation	239
Employment and Training	214
Taxation and Finance	202
Finances and Budgets	179

IN LOBBYING ACTIVITY REPORTS

Environment	2,473
COVID-19	2,395
Health	1,950
Economic Development and Trade	1,945
Energy	1,722
Finances and Budgets	1,533
Indigenous Relations and Reconciliation	1,251
Employment and Training	1,197
Forestry	1,126
Education	941

YEAR IN NUMBERS

INTENDED OUTCOMES OF LOBBYISTS, 2020-21

TOP INTENDED OUTCOMES IN REGISTRATION RETURNS

Development, establishment, amendment or termination of any program, policy, directive or guideline of the government of British Columbia or a Provincial entity.	887
Development or enactment of any regulation, including the enactment of a regulation for the purposes of amending or repealing a regulation.	543
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	509
Development of any legislative proposal by the government of British Columbia, a Provincial entity or a member of the Legislative Assembly	435
Introduction, amendment, passage or defeat of any Bill or resolution in or before the Legislative Assembly	302
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	79
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	61

TOP INTENDED OUTCOMES IN LOBBYING ACTIVITY REPORTS

Development, establishment, amendment or termination of any program, policy, directive or guideline of the government of British Columbia or a Provincial entity	6,230
Development or enactment of any regulation, including the enactment of a regulation for the purposes of amending or repealing a regulation	3,677
Development of any legislative proposal by the government of British Columbia, a Provincial entity or a member of the Legislative Assembly	2,779
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	2,551
Introduction, amendment, passage or defeat of any Bill or resolution in or before the Legislative Assembly.	2,028
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	306
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	286

ORL FINANCIAL REPORTING

The ORL's budget is incorporated into the budget of the Office of the Information and Privacy Commissioner. As part of the approval of the annual Estimates, the Legislative Assembly votes a budget for the two offices as recommended by the Select Standing Committee on Finance and Government Services.

RESOURCES

The Office of the Registrar of Lobbyists (ORL) publishes guidance documents to provide information and promote compliance. Here are the documents produced or updated in 2020-21. Check lobbyistsregistrar.bc.ca for updates after March 31, 2021.

- 🔗 How to Report Government Funding in the Lobbyists Registry
- 🔗 Coalitions
- 🔗 Government Funding
- 🔗 How to Report Political Sponsorship and Recall Contributions in the Lobbyists Registry
- 🔗 Guidance for Lobbyists During an Election
- 🔗 Political, Sponsorship, and Recall Contributions
- 🔗 Non-Profit Organizations
- 🔗 Registrar of Lobbyists: Guide to Investigations
- 🔗 Sample Questionnaire for Consultant Lobbyists' Clients
- 🔗 Tracking Lobbying Activities: Consultant Lobbyists
- 🔗 Sample Questionnaire for Organizations that are Lobbying
- 🔗 Tracking Lobbying Activities: In-house Lobbyists
- 🔗 Business Relationships: Affiliates and Others with an Interest in Lobbying Activities
- 🔗 Lobbying Activity Report - Consultant Lobbyists
- 🔗 Lobbying Activity Report - Organization
- 🔗 Lobbyists Gifts
- 🔗 Provincial entities
- 🔗 Organization Registration Returns
- 🔗 Consultant Lobbyist Registration Returns
- 🔗 Account Management
- 🔗 Accounts and Registrations from the Previous Registry
- 🔗 Quick Reference Guide for Representatives
- 🔗 Quick Reference Guide for Organizations
- 🔗 Quick Reference Guide for Consultant Lobbyists
- 🔗 Monthly Returns and Lobbying Activity Report



For more information about the ORL's budget and *Public Interest Disclosure Act* (PIDA) disclosure, please see the *2020-21 OIPC Annual Report* (page 30) or the *Budget and Service Plan* at oipc.bc.ca under "Reports."

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