

# INFLUENCING BC

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## IN THIS ISSUE

[About the ORL](#)  
[Registrar's message](#)  
[Feature: Procurement and government](#)  
[Registry changes](#)  
[Updated guidance documents](#)  
[Reporting dates for 2022](#)  
[Recent news](#)

## ABOUT THE ORL

The Office of the Registrar of Lobbyists (ORL) carries out the mandate of the Registrar of Lobbyists under the *Lobbyists Transparency Act* (LTA). The ORL maintains a lobbyists registry, educates lobbyists, public office holders and the public about lobbying rules, and enforces the LTA.

The LTA requires individuals and organizations who lobby public office holders and meet specific criteria to register their lobbying activities in an online public registry. You can search the Lobbyists Registry [here](#). The goal of the LTA is to promote transparency in lobbying and government decision-making by allowing citizens to know who is attempting to influence public office holders' decisions.

The ORL publishes *Influencing BC* to make lobbyists and members of the public aware of news related to lobbying in BC and the LTA.

Michael McEvoy is the Registrar of Lobbyists for BC.

## REGISTRAR'S MESSAGE

In this issue of *Influencing BC*, we have a number of updates to share. First, we have posted two new guidance documents on our website that we hope you find helpful. The first, [Public Office Holders and the Lobbyists Transparency Act](#) shares common questions public office holders have about lobbying in BC, explains some of the prohibited lobbying activities, and provides best practices for public office holders engaging with lobbyists. The second, [Accessing Information in the Lobbyists Registry](#) provides a roadmap to the Registry for the general public including media to help increase transparency in lobbying in BC.

As always, *Influencing BC* includes a link to the most recent Who's Lobbying Who reports, updates you on Registry News, and offers a reminder about upcoming 2022 reporting dates. Since our last newsletter, the ORL has also published its [2021-22 Annual Report](#).

We hope you find this content useful and as always please contact us at [info@bcorl.ca](mailto:info@bcorl.ca) if you have any questions or comments. The ORL is available to speak to groups and organizations. If you have a speaking request, please complete this [form](#).

Michael McEvoy, Registrar of Lobbyists for British Columbia

## ORL DELIVERS PRESENTATION TO PROCUREMENT SERVICES

In June, ORL staff were invited to present to a Ministry of Citizens' Services Procurement Services Branch "Learning Moment" webinar. The webinar focused on lobbying as it relates to the procurement context.

Deputy Registrar oline Twiss began the virtual session by outlining the responsibilities of the Registrar of Lobbyists and providing an overview of how lobbying rules apply to procurement. She explained that the aim of the *Lobbyists Transparency Act* (LTA) is to bolster the public's trust in the integrity of government decision-making processes through greater transparency, providing examples of when interactions between potential vendors and ministries constitute lobbying – and when they do not. For instance, if an organization engaged in an RFP process hired a consultant to meet with a person on staff or a decision-maker to influence the award of the contract, the consultant would have to register that communication as a lobbying activity. On the other hand, contacting a public office holder simply to seek information about how to participate in the procurement process would not be lobbying.

Morag Ross, ORL Registry and Compliance Manager, provided information about the Lobbyists Registry, specifically Registration Returns and Lobbying Activity Reports. She explained that the Monthly Return is where lobbying activities are entered on a monthly basis, while the Lobbying Activity Reports provide a record for lobbying activities involving senior public office holders, who are members of Cabinet, MLAs, Parliamentary Secretaries, and all staff down to the assistant or associate Deputy Minister level.

Deputy Registrar Twiss emphasized that the obligations under the LTA rest with lobbyists, not public office holders. Still ORL guidance offers information about LTA rules for public officer holders, such as the 2-year prohibition on lobbying for former public office holders, and the restrictions on gifts. The LTA specifically states that a lobbyist must not give or promise to give, directly or indirectly, any gift or other benefit to a public office holder that the lobbyist is lobbying. A narrow exception to this prohibition exists but, by-and-large, lobbyists are prohibited from giving gifts to public office holders they are lobbying. A gift is considered anything of value that is given for free or at a reduced rate, which could as examples: a bottle of wine, a box of chocolates, a ticket to a Canucks game, or a lunch. The guidance document [Lobbyist Gifts](#) specifically addresses the rules surrounding gifts; more information can also be found in the guidance document [Public](#)

[Office Holders and the Lobbyists Transparency Act](#), which provides detailed information for public office holders.

The 45-minute session proved to be mutually beneficial, said Deputy Registrar Twiss. “We are very happy that Procurement Services reached out to us. We were able to tell them about our office, the Lobbyists Registry, and the LTA, and answer their questions about lobbying and procurement. Their feedback is valuable to us because it helps us understand how we can best present information for lobbyists and public office holders in our educational materials and guidance documents.”

## REGISTRY CHANGES

There are changes coming to the Registry this October for government funding updates, as part of our continued efforts to streamline entries and make the Registry more user friendly for lobbyists and the public.

1. Government funding entries which are over the 12-month threshold will be automatically archived when filers Update or Reactivate their Registration Return. Filers will no longer need to manually remove “old” government funding entries when performing an Update or Reactivation of their Registration Return.
2. Separate tables will be provided for declaring Received and Requested government funding.
3. Filers will be able to enter government funding which they may have missed in prior Registration submissions that are currently over the preceding 12-month threshold.
4. The public search function will be updated to show the complete government funding history for an organization or client of a consultant lobbyist.

## UPDATED GUIDANCE

The ORL publishes guidance to provide information and promote compliance with the *Lobbyists Transparency Act*. These documents are often based on changes to the LTA or feedback we have received from lobbyists. Three documents have been added recently:

- [Public Office Holders and the Lobbyists Transparency Act](#) was published in May and answers some common questions public office holders have about lobbying in BC, explains some of the prohibited lobbying activities, and provides best practices for public office holders engaging with lobbyists.
  - Some of the questions addressed include:
    - Am I a public officer holder? Does the LTA apply to public office holders?
    - Do I need to register lobbying I receive? Can I accept a gift from a lobbyist?
    - As a former public office holder, can I lobby government? How can I be certain a lobbyist represents who they say they represent?
- [Accessing Information in the Lobbyists Registry](#) is targeted at individuals outside the lobbying sector – such as citizens or journalists – and helps people explore and

access information within the Registry. This document covers the fundamentals of navigating the Registry, the kinds of information contained within, and some helpful examples to help orient people to the different tools available.

- The ORL has also added an infographic to the website that provides information about [Registration Timelines](#). If you are paid to lobby BC public office holders, you must register your lobbying activities in the Lobbyists Registry at the Office of the Registrar of Lobbyists and then follow the Lobbyists Transparency Act timelines regarding 10, 15, and 30-day requirements.

All the Registrar's guidance documents can be viewed on our website [here](#).

## 2022 REPORTING DATES

### Add to your calendar

Monthly Returns are due by the 15th of each month. When the 15th falls on a Sunday or a statutory holiday, the deadline becomes the next day that is not a Sunday or statutory holiday.

Upcoming 2022 dates that Monthly Returns are due:

- Saturday, October 15
- Tuesday, November 15
- Thursday, December 15

## RECENT NEWS

### Who's Lobbying Who

Who's Lobbying Who is a brief monthly summary of new and reactivated registrations. Click [Who's Lobbying Who](#) to view the reports on the ORL website.

To view full details of all Registration Returns, you can search the [Lobbyists Registry](#). For screenshots of various ways to search the Lobbyists Registry, see [Getting Started - Reference Guide](#) pages 26-27.

### Investigation Reports and Reconsiderations

The ORL has the authority to investigate alleged lobbyist contraventions, such as failing to register, or reporting information inaccurately or late. ORL investigators review the circumstances of each case, examine the evidence, and if the contravention is substantiated, levy an administrative penalty. Investigation and reconsiderations reports can be viewed on our website [here](#).

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registrar  
of lobbyists  
BRITISH COLUMBIA