

INFLUENCING BC

December 2022, Volume 12, Issue 3

IN THIS ISSUE

[About the ORL](#)
[Registrar's message](#)
[Feature: Launch of new survey on gifts](#)
[Registry changes](#)
[Updated guidance document](#)
[Reporting dates for 2022-2023](#)
[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

Before we sing Auld Lang Syne, I want to share some news with you in this final issue of *Influencing BC* for 2022.

First, you are invited to participate in a consultation we are conducting to develop our guidance on the gift rules in the *Lobbyists Transparency Act*. ORL staff receive many questions about gifts and other benefits (such as receptions) that satisfy the exception test to the gift prohibition. Specifically, we are seeking your input on a value limit for gifts that otherwise meet the exception test found in section 2.4 of the LTA. We want to hear

from you about whether suggesting a \$40 limit offers clarity for lobbyists. You can access the survey through the link below. Please complete the survey by January 20, 2023.

You should also know that we recently published the first two reports of non-compliance under the *Lobbyists Transparency Act*: Determination Decision 22-01 and Reconsideration Report 22-01. We also published Exemption Decision 22-01 at the beginning of December. You can find these three decisions below under "[Recent News](#)."

Finally, you can read about updates to our guidance documents and Lobbyists Registry improvements, as well as Who's Lobbying Who for the month of November.

As always, we hope you find this content useful. Please don't hesitate to contact us at 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](#).

I wish you all the very best for the holiday season and happiest of new years.

Michael McEvoy, Registrar of Lobbyists for British Columbia

ORL LAUNCHES SURVEY ON PROPOSED DOLLAR VALUE FOR LOBBYIST GIFTS

The ORL is inviting public feedback on whether our gift and other benefit guidance should provide for a value limit of **\$40** for gifts that are also otherwise permissible under section 2.4 the *Lobbyists Transparency Act* (LTA). This is in keeping with the office's mandate to promote awareness and understanding of the LTA's requirements. We want to hear from you about whether such guidance offers greater clarity for all interested parties.

[This document](#) provides background on the LTA's gift prohibition and exception test. It also outlines the key consultation question of: whether it provides clarity to propose a specific value limit for gifts permitted under the LTA's narrow exception for gifts, even if the value limit is a guide rather than a rule. The document includes examples to illustrate how the guidance on a value limit might apply in different situations.

The four-question survey is open to everyone: lobbyists, organizations, public bodies, public office holders, media, and members of the public. All responses to the consultation will be posted in full to the ORL website after January 20, 2023 to be accessible to the public.

The survey will close at 4:00pm on **January 20, 2023**.

[Click here for ORL survey on proposed value limit for lobbyist gifts](#)

If you are experiencing technical difficulties with the survey, wish to provide feedback in a different manner, or have any other questions, please contact the ORL at info@bcorl.ca or 250-387-2686.

Callers outside Victoria can contact the office toll-free by calling Enquiry BC and requesting a transfer to 250-387-2686.

Enquiry BC

Vancouver: 604-660-2421

Elsewhere in BC: 800-663-7867

REGISTRY CHANGES

New bulk Lobbying Activity Report entry option coming

The LTA requires lobbyists to report each instance of lobbying directed at senior public office holders on a monthly basis, as part of the Monthly Return requirement. Currently, each lobbying activity must be entered one at a time. The ORL is in the process of developing an improvement to the Lobbyists Registry that would allow filers to enter multiple Lobbying Activity Reports (LARs) simultaneously using a “Bulk Entry” style interface.

This option would **not** replace a filer’s ability to enter LARs one at a time (as the Lobbyists Registry currently permits), but would be an **additional option** for filers should they desire an expedited means of filing multiple LARs.

This update, which we hope to be operational by end of March 2023, would allow lobbyists to enter all of these activities in a single spreadsheet – which we anticipate will dramatically reduce the time required to do this, saving any lobbyist who has multiple lobbying activities with senior public office holders time in monthly reporting.

UPDATED GUIDANCE

The ORL team regularly reviews our guidance documents to reflect legislative changes and also to ensure that our materials are clear and reflect the feedback we receive from lobbyists.

Recently, we updated our “[Lobbyist Gifts](#)” guidance document to remove “venue rental cost” from the calculation of the value of events where food, beverages, entertainment or other hospitality is provided. To determine the value of what is offered to public office holders invited to these events, lobbyists divide the total cost of the event by the number of people invited to attend. This calculation no longer needs to include venue rental costs, but must still include other event-related costs: food/catering; bar/beverages; service; music or entertainment; transportation; and any other costs involved in hosting the event.

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

2022-2023 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 due dates for Monthly Returns:

- Thursday, December 15
- Monday, January 16
- Wednesday, February 15
- Wednesday, March 15
- Saturday, April 15
- Monday, May 15
- Thursday, June 15
- Saturday, July 15
- Tuesday, August 15
- Friday, September 15
- Monday, October 16
- Wednesday, November 15
- Friday, December 15

RECENT NEWS

Who's Lobbying Who

Who's Lobbying Who is a monthly summary of lobbying activities that in-house lobbyists for organizations and consultant lobbyists have carried out or expect to carry out in BC. Each edition contains all new registrations submitted and activated during the previous month.

Click [Who's Lobbying Who](#) to view each month's report on the ORL's website.

Reports of Non-Compliance, Reconsideration Reports and other Decisions

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.

Previous reports of non-compliance and reconsideration reports can be viewed on our website [here](#).

[Determination Decision 22-01:](#)

The designated filer for Cisco Systems Canada Co. (Cisco) failed to list the name and address of its parent company contrary to s. 4(1)(g) of the *Lobbyists Transparency Act* (LTA). The designated filer received an administrative penalty of \$1500 for this

contravention. It listed Ministries and Provincial entities in its registration that it did not lobby or expect to lobby contrary to s. 4(1)(k) of the LTA. The designated filer received an administrative penalty of \$3000 for this contravention. The total amount of administrative penalties is \$4,500.

[Reconsideration Report 22-01:](#)

The designated filer for Cisco Canada requested reconsideration of the finding of contravention of s. 4(1)(k) and corresponding penalty on the basis that the interpretation of the words “expects to lobby” were interpreted too narrowly by the Investigator. The Registrar confirmed the findings and penalty of the Investigator.

[Exemption Decision 22-01:](#)

The applicant served as the former Senior Vice President of the BC Financial Services Authority for ten months and Chief Executive Officer of the Real Estate Council of British Columbia for five years. She is now the Chief Executive Officer of the YWCA Metro Vancouver. Her application for an exemption under s. 2.3 of the Lobbyists Transparency Act is granted with conditions that she not lobby any public office holders in the Ministry of Finance and certain senior public office holders she worked closely with, regardless of their current position. An organization’s status as a charity on its own is not determinative on whether granting an exemption under s. 2.3 is in the public interest. Not everything a charity or a non-profit does is necessarily in the public interest. The Registrar was satisfied the applicant intends to lobby on matters that do not concern the narrow organizational interests of the YWCA Metro Vancouver but on initiatives that a significant portion of the public stands to benefit from.