

INFLUENCING BC

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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 provide news on lobbying in BC and the LTA to lobbyists and members of the public.

Michael Harvey is the Registrar of Lobbyists for BC.

REGISTRAR'S MESSAGE

Before summer is upon us, we want to bring you the latest lobbying news, including the fact that the province now has a new Registrar of Lobbyists. I was honoured to be sworn in as BC's Information and Privacy Commissioner and Registrar of Lobbyists on May 6. As you can read in my [bio](#), my new role has literally taken me from coast to coast. As I settle into my new home and workplace, I look forward to continuing the good work of this office.

Meanwhile, there have also been changes in the legislation that regulates lobbying in BC. No doubt many of you are aware that the *Lobbyists Transparency Act* was recently amended. In this edition of *Influencing BC*, we hope to answer your questions about what the amendments will mean for you once they are brought into force by regulation.

We also share Registry news, and reports of non-compliance, reconsideration reports, and other decisions, and report on Who's Lobbying Who.

I trust you will find the content of this issue useful. Please contact us at info@bcorl.ca if you have any questions about the amendments or other comments.

Michael Harvey, Registrar of Lobbyists for British Columbia

AMENDMENTS

The *Miscellaneous Statutes Amendment Act, 2024*, which received Royal Assent on April 25th, will introduce changes to Designated Filers' reporting requirements under the *Lobbyists Transparency Act*. Note: the changes are not yet in force. They will come into force at a later date to be set by regulation. Until the amendments are brought into force, the reporting requirements of the LTA remain unchanged.

The amendments will bring in two important changes to the reporting requirements around government funding:

- Designated Filers will **no longer** be **required** to report government funding that is **requested** by their client or organization.
- Designated Filers must continue to report **received** government funding over the previous 12 months as part of their initial Registration Return. However, the deadline for filing information around additional funding received after the initial Registration Return is filed will be **extended** from 1 month to 3 months. If Designated Filers prefer to continue to file received funding information on a monthly basis, that option will still be available.

The amendments will also bring in changes to add clarity to requirements already present in the LTA.

- The language of section 4(1)(h) will be updated to clarify "coalition" lobbying, but the requirements remain the same. Designated Filers will continue to report the name and business address of any other client or organization who they work with for the purpose of lobbying and have a direct interest in the outcome of the lobbying activities.
- The new section 4.4 will clarify the filing requirements when lobbying ends. When a consultant lobbyist or an organization ceases lobbying, the Designated Filer will have 30 days after the month in which lobbying stops to end their Registration Return in the Lobbyists Registry. To do this, they must submit any outstanding information that otherwise would have been submitted in a Monthly Return or any outstanding information on received government funding up to the date that lobbying ceased.

Remember, these changes are not yet in force and until they are brought into force, the reporting requirements under the LTA remain unchanged. Please continue to monitor the ORL website for information related to these amendments.

UPDATED GUIDANCE

The ORL has recently published an [Infographic](#) that highlights upcoming changes to lobbying reporting requirements introduced by the *Miscellaneous Statutes Amendment Act, 2024* (Bill 9). Read the [Amendments](#) article for more information on this.

All guidance documents can be viewed on our website [here](#). As well, the [Frequently Asked Questions](#) page on the website provides information on many topics, some of which include the Registry, lobbying, compliance, arranging meetings, gifts, registration returns, among others.

REGISTRY CHANGES

We have updated our password policy for the Lobbyists Registry. When you sign into the Lobbyists Registry in the month of June, you may be asked to update your password to comply with the new password policy.

The new password is case sensitive and must contain the following:

- At least eight characters
- Both uppercase and lowercase letters
- Letters and numbers
- At least one special character, such as: ! @? #

If your current password already meets these requirements, you will not need to change your password.

You do not need to wait until June to update your password to meet these requirements.

2024 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. You can submit your Monthly Return earlier than the 15th of the month, and we do encourage lobbyists to submit their Monthly Return in the first week of the new month in case any issues are encountered, or any questions arise.

Upcoming 2024 due dates for Monthly Returns:

- Saturday, June 15
- Monday, July 15
- Thursday, August 15
- Monday, September 16
- Tuesday, October 15
- Friday, November 15

- Monday, December 16

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 for clients have carried out or expect to carry out in BC. Each edition contains all new Registration Returns submitted and activated during the previous month.

Click [Who's Lobbying Who](#) to view each monthly report on the ORL 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. The LTA contains a provision for reconsideration of Decisions by the Registrar.

Previous reports of non-compliance, reconsideration, and exemption decision reports can be viewed on our website under [Decisions](#).

[Determination Decision 23-07](#)

The designated filer for Uber Canada Inc. (Uber) contravened ss. 4(1)(f), 4(1)(g), 4.1, and 5(1) of the *Lobbyists Transparency Act* (LTA). The designated filer failed to list the name and address of its affiliates contrary to ss. 4(1)(f) and 4(1)(g), and received an administrative penalty of \$2,500 for these contraventions. The designated filer also failed to file Monthly Returns by the required dates, contravening s. 4.1, which resulted in an administrative penalty of \$1,500. Finally, the designated filer entered inaccurate information into the Lobbyists Registry and certified the information was true under s. 5(1), resulting in an administrative penalty of \$500. The total amount of administrative penalties is \$4,500.

[Reconsideration Decision 23-07](#)

Uber requested a reconsideration of Determination Decision 23-07 by challenging certain conclusions underlying the decision, but not the amount fined if the findings were to be upheld. The Registrar of Lobbyists confirmed the findings of, and the administrative penalty imposed by, the Investigator.