

# INFLUENCING BC

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## REGISTRAR'S MESSAGE

On May 4, 2020, the title of the *Lobbyists Registration Act* will change to the *Lobbyists Transparency Act*, or LTA, as the sections of the *Lobbyists Registration Amendment Act, 2018*, that have not yet come into force take effect. The changes will affect all lobbyists, and with the elimination of the 100-hour threshold we anticipate many organizations may have to register even if they have not had to do so in the past.

In anticipation of the coming into force of the LTA, we continue our efforts to ensure the new online Lobbyists Registry will be ready to launch on May 4, 2020. In addition, we have begun a three-month educational campaign to help ensure lobbyists, organizations, and the general public understand the changes to the Act, the regulations, and the Lobbyists Registry.

This week, we posted new guidance documents and an FAQ section on our website to assist with understanding the LTA. Updates to our website will occur over the next several months including [additional LTA guidance documents](#), information, and support materials as we approach the launch of the new Lobbyists Registry on May 4.

In April, I am also co-hosting two public information sessions, one in Vancouver on April 2, 2020, and one in Victoria on April 23, 2020. For those unable to attend the sessions in person, I will also host a webcast on April 3, 2020. For webcast login details and to register for any of these free public information sessions, please go to the [Upcoming Events](#) page on the ORL website.

We are committed to making it as easy as possible for lobbyists to understand and comply with the new Act. Please don't hesitate to contact my team at [info@bcorl.ca](mailto:info@bcorl.ca) with questions or comments.

*Michael McEvoy, Registrar of Lobbyists for British Columbia*

## FEATURE

### **What can lobbyists do now to prepare for the new legislation and the new Lobbyists Registry?**

To prepare for the new legislation, please review the new LTA guidance documents and information on the ORL website. In addition, you may want to attend one of the free public information sessions

being offered in April in Vancouver and Victoria, or the webinar. Event details and registration is available on the ORL's [Upcoming Events](#) webpage.

Much of the information in your existing registrations will be carried over into the new Lobbyists Registry. The current Registry will be taken offline on April 30, 2020, and the new Lobbyists Registry will be activated on May 4, 2020.

To prepare for the change over to the new system, between now and April 30, 2020, please ensure your existing information in the Lobbyists Registry is accurate and up to date. In particular, please check:

1. Have you named the correct person as the Designated Filer for your organization?  
The Designated Filer for an organization must be the most senior officer of the organization who receives payment for performing his or her functions, even if that person is not lobbying. If there is no senior officer who receives payment, the Designated Filer is the most senior in-house lobbyist.

Note: If your organization is a national or international organization, as of May 4, 2020, we will **no longer** accept the most senior officer in BC as the Designated Filer.

For example, if the CEO and all executives of a national company are based in Calgary, and the only company personnel in BC are lobbyists and support staff, the Designated Filer would be the CEO in Calgary, if that person receives payment for performing his or her functions.

In another example, a company based in the United States begins lobbying activities in BC. All of the executives are based in Nevada. The company hires a lobbyist in BC to arrange meetings about proposals in BC. The Designated Filer in this scenario would be the most senior officer of the United States organization who receives payment for performing his or her functions.

If that United States company subsequently incorporates a Canadian subsidiary and appoints a CEO of the Canadian subsidiary, and the lobbying activities are carried out on behalf of the Canadian subsidiary, then the Canadian subsidiary would file its own (new) registration as an organization carrying on lobbying activities in BC, and the CEO of the Canadian subsidiary would be the Designated Filer in that registration.

The two key questions to ask to determine the Designated Filer are:

- a) Which organization is actually carrying on lobbying activities in BC?
  - b) Who is the most senior paid officer of **that** organization?
2. Did you enter the full legal name of your organization or client company?
    - To see the full legal name of companies registered in BC search here: <https://www.bconline.gov.bc.ca/>.
    - To see the full legal name of companies registered in other provinces search here: <https://beta.canadasbusinessregistries.ca/search>
    - To see the full name of federally-registered companies search here: <https://www.ic.gc.ca/app/scr/cc/CorporationsCanada/fdrlCrpSrch.html>
  3. Does your organization or client company have a parent company? If so, you will need to enter the full legal name and contact information of the parent company in the registration.

4. Has the client company or organization received government funding from any level of government? If so, ensure the amount and the name of the funding agency and program is correct.

If changes are required, please log into the Lobbyists Registry [justice.gov.bc.ca/lra/](https://justice.gov.bc.ca/lra/), update your existing registration, certify, and submit, so we can review and accept the changes prior to April 30, 2020. Reviewing your registration information now will make for an easier transition to the new *Lobbyists Transparency Act* when it comes into effect May 4, 2020.

## RECENT NEWS

### Investigation and reconsideration reports

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

### Who's Lobbying Who: January 2020

[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 that particular month. View [Who's Lobbying Who](#) on the ORL website under Publications.