

TCI Operations Manual



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Lobbying in BC

General information

[Memo to all staff](#)

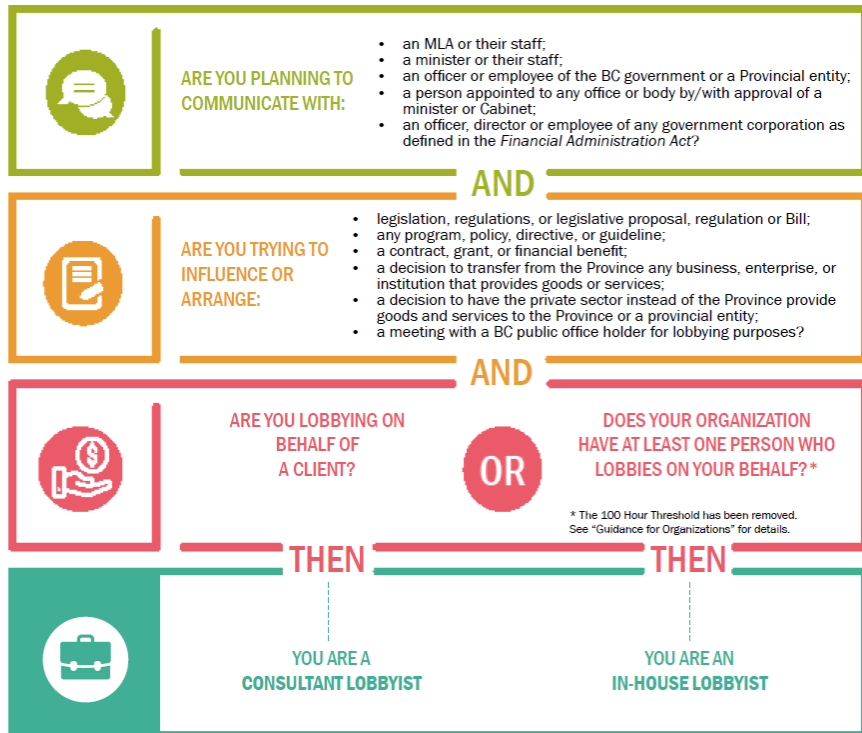


Are you a
lobbyist
in BC?

In BC, the *Lobbyists Transparency Act* (LTA) is enforced by the Registrar of Lobbyists. Lobbyists are paid by their employers or clients to communicate with BC public office holders in an attempt to influence government decisions. The LTA requires lobbyists to declare details of their lobbying efforts in an online registry.

To find out if you should register as a lobbyist in BC, visit lobbyistsregistrar.bc.ca.

This document is for information purposes only and does not constitute a decision or finding by the Registrar of Lobbyists for British Columbia or his or her delegates. This guidance does not affect the powers, duties or functions of the Registrar of Lobbyists, or his or her delegates, regarding any investigation or other matter under the Lobbyists Transparency Act, respecting which the Registrar and his or her delegates will keep an open mind. Responsibility for compliance with the Lobbyists Transparency Act remains with each client, lobbyist and public office holder.



Office of the Registrar of Lobbyist (ORL) BC Guidance

[Guidance Documents](#): the page is updated on a regular basis by the Office of the Registrar of Lobbyist (ORL)

Date	Title	Topic	Summary
May 27, 2020	Registrar of Lobbyists: Guide to Investigations	General Guidance	This guide outlines steps that the Office of the Registrar of Lobbyists (ORL) ¹ takes under the Lobbyists Transparency Act (LTA) in conducting investigations of apparent non-compliance with the LTA and the Lobbyists Transparency Regulation.
Apr 30, 2020	Sample Questionnaire for Consultant	General Guidance	This is a template consultant lobbyists or their clients can customize to meet their own circumstances. The information in the

Date	Title	Topic	Summary
	Lobbyist's Clients		questionnaire will become public information once the information is entered in a Registration Return submitted to the Office of the Registrar of Lobbyists for BC. Email addresses will not be publicly available unless noted.
Apr 30, 2020	Tracking Lobbying Activities: Consultant Lobbyists	General Guidance	This is a document to assist organizations with tracking lobbying activities. Use of this form to collect information is not mandatory.
Apr 30, 2020	Sample Questionnaire for Organizations that are Lobbying	General Guidance	This is a template an organization can customize to meet its own circumstances. Use of this form to collect information is not mandatory; however, a tool such as this may form part of the standard of due diligence expected of filers.
Apr 30, 2020	Tracking Lobbying Activities: In-house Lobbyists	General Guidance	This is a document to assist in-house lobbyists with tracking lobbying activities. Use of this form to collect information is not mandatory.
Apr 22, 2020	Reporting Political, Sponsorship, and Recall Contributions	General Guidance	This guidance document explains the Lobbyists Transparency Act (LTA) requirements for lobbyists in relation to political contributions, sponsorship contributions, and recall contributions. To promote transparency, the LTA requires that lobbyists must declare political, sponsorship, and recall contributions made by themselves, and by a small group of clients, in specified circumstances.
Apr 22, 2020	Business Relationships: Affiliates and Others with an Interest in Lobbying Activities	General Guidance	This guidance document explains the reporting requirements set out in the Lobbyists Transparency Act (LTA) that require lobbyists to declare information about third parties that may be influencing the lobbying activities of a client or organization.
Apr 03, 2020	Lobbying Activity Report - Consultant Lobbyists	Consultant Lobbyist	Lobbyists Registry screenshots of a Lobbying Activity Report for consultant lobbyists.

Date	Title	Topic	Summary
Apr 03, 2020	Lobbying Activity Report - Organizations	General Guidance	Lobbyists Registry screenshots of a Lobbying Activity Report for organizations.
Mar 03, 2020	10, 15, and 30-day Requirements	General Guidance	This guidance document provides an at-a-glance look at the Lobbyists Transparency Act (LTA) timelines regarding 10, 15, and 30-day requirements. It covers the registration requirements for lobbyists, what must be reported, and the applicable timelines.
Mar 03, 2020	How to Register and Report Your Lobbying Activities	General Guidance	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. Follow the steps below to register.
Feb 20, 2020	Glossary of Terms	General Guidance	This glossary of terms contains definitions of commonly used terms within the Lobbyists Transparency Act (LTA) guidance documents and the new BC Lobbyists Registry.
Feb 06, 2020	Exemption Process for Former Office Holders	General Guidance	This guidance document outlines what the Registrar will consider when adjudicating applications for exemptions from the lobbying prohibition for former public office holders under section 2.3 of the Lobbyists Transparency Act (LTA).
Feb 06, 2020	Codes of Conduct	General Guidance	This guidance document explains the Lobbyists Transparency Act (LTA) reporting requirements for relevant codes of conduct.
Feb 06, 2020	Organizations	General Guidance	This guidance document provides an overview for organizations with in-house lobbyists under the Lobbyists Transparency Act (LTA).
Feb 06, 2020	Provincial Entities	General Guidance	This document provides guidance on the term "Provincial entity" as it is used in the Lobbyists Transparency Act (LTA).
Feb 06, 2020	Lobbyist Gifts	General Guidance	This guidance document explains the gift-giving prohibition in the Lobbyists Transparency Act (LTA), the limited exception to the prohibition, and the reporting requirements related to gifts.
Feb 06,	Timing is	General	This document provides guidance regarding the

Date	Title	Topic	Summary
2020	Everything: Transition Rules for the LTA	Guidance	transition rules – or time-related – aspects of the Lobbyists Transparency Act (LTA) in the period after the legislation comes into force on May 4, 2020.
Feb 06, 2020	Are you Lobbying?	Infographic	In BC, the Lobbyists Transparency Act (LTA) is enforced by the Registrar of Lobbyists. Lobbyists are paid, on behalf of their employers or clients, to communicate with public office holders in an attempt to influence government decisions.
Feb 06, 2020	Government Funding	General Guidance	This guidance document explains the Lobbyists Transparency Act (LTA) requirements for lobbyists to report information about government funding received or requested.
Feb 06, 2020	Coalitions	General Guidance	This guidance document explains the Lobbyists Transparency Act (LTA) and BC Lobbyists Registry reporting requirements with respect to coalitions.
Oct 23, 2019	Procurement	General Guidance	This guidance document explains the difference between marketing to government and lobbying of public office holders.
Aug 24, 2016	Payment and Reimbursement	Advisory Bulletin	Am I lobbying if I am only being reimbursed for my expenses? Find out in this advisory bulletin.

Provincial Entities

Provincial entities are provincial government organizations and agencies that are included in the government reporting entity but fall outside the core operations of the provincial government. (Core government is generally understood to be comprised of government ministries, the Office of the Premier, and legislative offices.)

Therefore, under the LTA, the term “Provincial entity” refers generally to provincial government agencies or organizations outside core government.

Provincial entities include:

- Crown corporations
- School districts
- Public sector post-secondary institutions such as colleges and universities

- Health authorities

Please see pages 5-7 in the following document for a list of provincial entities in BC: http://www.bclaws.ca/civix/document/id/oic/oic_cur/0596_2019

Resources

[ORL Webinar: What you need to know about Lobbyist Transparency Act](#)



BC_Lobbying_Lunch_and_Learn.pptx

FAQs

What is the threshold for lobbying in BC?

There is no longer a 100-hour threshold for registration of lobbying in British Columbia. Therefore all lobbying must be reported. Please be advised that there are some restrictions in terms of gifting. Please see the [Guidance for Gifts](#).

Are there any examples of what is and isn't considered a lobbying activity in BC?

The Lobbying Working Group is working on training materials. Further details and materials will soon be available. In the meantime, you can also find information at [ORL FAQ/Lobbying](#).

Until then, here are some info about key elements of activities considered to be "lobbying":

The lobbyist:

- is paid
- to communicate or to arrange a meeting for the purpose of lobbying
- with a public office holder
- in an attempt to influence any of the matters set out in the LTA definition of "lobby".

[Are you a lobbyist in BC?](#)

With regard to the exemption on providing "information" only, is there any restriction on the type of information that can be provided?

The LTA requires you to provide a brief but comprehensive description of your lobbying activities. Your details should be clear and concise, so the public can easily identify and understand your **lobbying goals**.

Keep in mind that the purpose of the Lobbyists Registry is to provide transparency with respect to who is lobbying the BC government about which subject matter(s). The language in this section must include "particulars to identify the subject matter".

Answering these questions might help you determine what to enter in this section:

- What result am I lobbying for?
- What am I seeking from the BC government on behalf of my client or my organization?
- What is the intended outcome I hope to achieve as a result of my communication with the BC government?
- If you are not seeking a change or do not have a specific "ask" of the BC government, why are you communicating with the public office holder?

Where can we find the "Who's Lobbying Who" reports so we can see lobbying activities that other organizations have or expect to carry out in BC?

The reports are publicly available on the ORL website in the "[Who's Lobbying Who](#)" section.

In the BC Lobbying Lunch and Learn, you mentioned grants and contracts. Does this refer to grants and contracts that Tides Canada receives from government as well as grants that we make to government?

We will track **all requested** and **received** funds **from** the government at all levels.

Government funding includes:

- Government grants
- Non-repayable contributions
- Any other non-repayable funding arrangements

You can find out more about government funding here: [Government Funding Guidance](#)

Government funding does not include:

- Repayable contributions
- Loans & loan guarantees
- Tax credits
- Remission orders
- Payment pursuant to a contract for goods and/or services

The declaration requirement applies to any funding from Canadian or foreign governments including any municipal, provincial, territorial, regional, or state government. Funding from any government agency or Provincial entity must also be declared in the Registration Return.

Keep in mind that you only have to declare government funding received by the legal entity that is carrying on lobbying activities in BC.

For example:

- If the client or organization carrying on lobbying activities is a corporation, lobbyists do not need to report government funding received or requested by subsidiaries or parent corporations.
- If the client or organization carrying on lobbying activities is a local chapter of a regional, national, or international union, the local chapter does not need to declare funding received

by the regional, national, or international organizations as long as the local chapter is a separate legal entity with its own constitution and bylaws.

For BC lobbying, how much detail do we need to provide on individual contributions reporting and is that also publicly available?

If a lobbyist or an organization that is lobbying gives or promises a gift to a public office holder (whether or not they are lobbying that public office holder), they must declare:

- the name of the public office holder;
- a description of the gift;
- the value of the gift;
- the date the gift was given or promised; and
- the circumstances under which the gift was given or promised.

Failing to declare a gift given or promised is a contravention of the LTA.

Until we see the first reports (hopefully by June 15, 2020), we cannot confirm how much detail will be available about the gifting reports.

Regarding BC lobbying rules around coalitions, what if we make a grant to a coalition? Is that considered lobbying that we need to report?

It is important to remember that the one who is doing the lobbying is the one required to report it. The purpose of the grant may be relevant as well.

The consultant lobbyist or the designated filer for an organization must identify any coalition to which the client or organization belongs **if the purpose of the coalition is related to the lobbying activities engaged in by the client or organization.**

Could you provide more information on "coalitions" with regard to BC lobbying rules?

The BC Lobbying Working Group is working on training materials, and further details and materials will soon be available. In the meantime, you can find out more in the [coalitions guidance document](#).

With regards to BC lobbying rules around gifts, does it make a difference if refreshments are available buffet-style and the public office holder

just helps themselves?

It does not make a difference; the refreshments are considered to be gifts.

There are three key elements of the LTA regarding gifts:

1. Prohibition: The LTA prohibits a lobbyist from giving or promising to give, directly or indirectly, any gift to any public office holder the lobbyist is lobbying.
2. Exception test: A gift to a public office holder whom the lobbyist is lobbying is only acceptable if it meets both parts of the two-part test in the LTA:
 - The gift is given or promised under the protocol or social obligations that normally accompany the duties or responsibilities of office of the public office holder; AND
 - The total value of gifts given or promised to the public office holder by the lobbyist in accordance with the protocol or social obligations over any given 12-month period is less than \$100.
3. Reporting requirement: The LTA requires that ALL gifts given or promised to be given by a lobbyist to ALL public office holders the lobbyist is lobbying must be declared.

Does a public office holder in BC also include members of the civil service?

The LTA defines “public office holder” in a way that includes many individuals in addition to elected officials. Any of the following may be a public office holder:

- A member of the Legislative Assembly (MLA) including members of cabinet
- Political staff of an MLA or a member of cabinet
- An officer or employee of the government of British Columbia
- A person who is appointed to any office or body by or with the approval of the Lieutenant Governor in Council, other than a person appointed on the recommendation of the Legislative Assembly
- A person who is appointed to any office or body by or with the approval of a minister of the government of British Columbia
- An officer, director, or employee of any government corporation as defined in the *Financial Administration Act*

What if one project lobbies a BC public office holder and then another project gives that person a gift as a friend?

If you are a lobbyist you are prohibited from giving a gift to a public office holder you are lobbying, regardless of your personal friendship.

Who is expected to report about BC lobbying

activities within a coalition?

The organization that is doing the lobbying is the one required to report it.

Consultant lobbyists and designated filers for organizations are required to list the name and business address of each member of the coalition.

Due diligence is required. If in doubt, lobbyists need to find out whether the client or organization is a coalition or a member of a coalition, and if so, obtain the names and business addresses of each member of the coalition, so as to enter accurate information in the Lobbyists Registry.

The consultant lobbyist or the designated filer for an organization must identify any coalition to which the client or organization belongs if the purpose of the coalition is related to the lobbying activities engaged in by the client or organization.

Is there a penalty if we report something that is not BC lobbying activity?

ORL advises to report only the lobbying activities.

What level of details will be publicly available from our BC lobbying activities report?

To be answered.

Are we tracking municipal lobbying as well?

Yes, we will track all activities, funding, and gifts at all levels.

Office of the Registrar of Lobbyists British Columbia FAQs

Please visit the [Frequently Asked Questions](#) section of the ORL website for more information.

What is the difference between my Registration Return and my Monthly Return? (copied)

Your **Registration Return** will contain information regarding the lobbying you **intend to do**.

Your **Monthly Return** will contain information regarding the lobbying **you actually did** in the previous month.

Is there a registry of which senior staff are

included in the reporting for the BC Monthly Return? (copied)

“Senior public office holders” are a subset of public office holders. “Senior public office holders” include the following positions:

- Premier and ministers (members of the Executive Council)
- Staff of premier/staff of ministers (other than administrative support staff)
- MLA
- Staff of MLAs (other than administrative support staff)
- Parliamentary secretary
- Deputy minister, chief executive officer or a position of comparable rank in a ministry
- Associate deputy minister, assistant deputy minister or a position of comparable rank in a ministry
- Senior or next most senior ranking executive position of a Provincial entity
- Chair or vice chair of, or the equivalent position in, the governing body of a Provincial entity

A public office holder who is not a “senior public office holder” is:

- anyone in a ministry below the level of assistant/associate deputy minister;
- anyone below the two most senior ranking executive positions in a Provincial entity; and
- anyone below the level of chair or vice chair in the governing body of a Provincial entity.

This list may include an officer, director, or employee of any government corporation as defined in the Financial Administration Act.

How is lobbied defined at the federal and BC government levels? (copied)

Federal:

Lobbying is **communicating**, with **public office holders**, for payment **with regard to**:

- the making, developing or amending of federal legislative proposals, bills or resolutions, regulations, policies or programs;
- the awarding of federal grants, contributions or other financial benefits; and
- in the case of consultant lobbyists, the awarding of a federal government contract and arranging a meeting between their client and a public office holder.

BC Level:

To communicate, for payment, with a public office holder in an attempt to influence a legislative proposal, bill, resolution, regulation, program, policy, directive, guideline, grant, contract, financial benefit, outsourcing decision or privatizing decision. The definition of lobby also

includes arranging a meeting between a public office holder and any other individual for the purpose of lobbying.

If a TCI project gives a grant to an organization and activities under that grant include lobbying in BC, does that get captured and have to be reported under the BC lobbying rules?

Contributions toward the lobbying activity could include a grant provided by one organization to another organization if activities funded by that grant include lobbying, the amount of the contribution toward the lobbying activities exceeded \$1,000, and the organization providing the grant has a “direct interest in the outcome of the lobbying activity”. The name and business address of the grantor (organization providing the grant) would be reported in the filings by the grantee (organization receiving the grant).

We are a membership-based network. How do we get consent from our members, so that they understand we will have an obligation to report in BC? (copied)

E.g. if we have a meeting with 20 members where we discuss influencing policy, do we need to report all their names, and will all their names then be publicly visible?

It is important to note that the one (organization) doing lobbying is required to register and report.

The consultant lobbyist or the designated filer for an organization must identify any coalition to which the client or organization belongs **if the purpose of the coalition is related to the lobbying activities** engaged in by the client or organization. Consultant lobbyists and designated filers for organizations are **required to list the name** (business name) **and business address of each member of the coalition**.

Can you expand upon what is meant by Indigenous government in the “Lobbying in Other Jurisdictions” section of the online reporting tool? (copied)

I.e., Are only band councils in this definition? What about regional networks and aggregates?

The intention of this question is to find out where staff are lobbying. We will use this information to inform ourselves of relevant regulations and ensure we respect the governance

of the communities in which we work. Within the Canadian legal framework, Nations performing the work of government as indicated by registration with the CRA can implement regulations in line with municipalities. But we will work to follow Indigenous governance regardless of status under colonial law.

How do the new rules for lobbying in BC apply to partnerships with government? (copied)

For example, if we're working with government (and co-funding) to pilot new approaches to watershed management, do meetings related to that partnership need to be reported? Specifically, if an organization has a partnership agreement with the government and has a partnership meeting with the government staff, does paying for lunch or for the meeting room qualify as a gift, or is it only where the activity is considered lobbying?

If these activities do not qualify as lobbying, due to subsection 2(2)(c), then paying for lunch or other expenses of the meeting would not be considered a gift to a public office holder you are lobbying, under the LTA.

If the Province of BC is party to a formal MOU to jointly operate a program, and expenses are managed by a non-government org., can you confirm that reimbursing program costs (e.g., travel) is not a gift because it is a cost of a gov. program? (copied)

Expenses paid by an NGO pursuant to an MOU or contract for services would likely not be considered a gift. Going forward, it may be prudent to include a specific reference (in the MOU or contract for service) to expenses paid by the organization, to state that reasonable expenses such as meals and travel for participating public office holders are a routine part of the MOU/contract expenses and are not considered gifts or other benefits under the LTA.

Does the \$100 total for gifts to BC public office holders refer to each public office holder or to all public office holders?

The \$100 limit refers to each public office holder in any given 12-month period.

Lobbyists are prohibited from exceeding the \$100 limit in any given 12-month period. This is a rolling calculation. Lobbyists must keep track of gifts given or promised to each public office holder they are lobbying to ensure they do not exceed \$100 per public office holder per lobbyist in any given 12-month period.

Who is included in the definition of a BC public office holder? (copied)

The term “public office holder” is defined in section 1(1) of the LTA and includes MLAs and MLAs’ political staff members; cabinet ministers and cabinet ministers’ political staff members; government employees, including deputy ministers and everyone in a ministry under the level of deputy minister; an officer, director or employee of any government corporation as defined in the Financial Administration Act; and a person appointed to any office or body by or with approval of a minister or cabinet.

Does simply hosting a meeting with BC government in attendance (without providing food) count as a gift? (copied)

If the public office holder receives no benefit (e.g., meal, tokens, entertainment), no gift needs to be declared.

If we have a workshop with BC government staff should we avoid providing food?

Meals are considered to be gifts. All gifts given or promised by a lobbyist to a public office holder the lobbyist is lobbying must be declared in the lobbyist’s Registration Return. This includes gifts that meet the [exception test](#). A gift given or promised but not declared is a contravention of the LTA, including those that are incidental to protocol or social obligations and under the \$100 limit.

Only things that are considered gifts need to be declared.

For events where food, beverages, entertainment, or other hospitality will be provided, lobbyists must determine the value of what is offered to each public office holder invited to the event by taking into account the total cost of the event (including venue rental costs, food/catering costs, bar/beverage costs, service costs, music or entertainment costs, transportation costs, and any other costs involved in hosting the event) and then dividing that total cost by the total number of people invited to attend.

Can we assume this doesn't apply to municipal government public office holders & staff in BC?

Do I need to include lobbying activities directed at municipal governments, the federal government, or the governments of provinces other than British Columbia in my Registration Return and Monthly Return?

No. The BC Lobbyists Registry should only reflect the lobbying of BC public office holders at the provincial level.

Does something as simple as sending a thank you card to a BC public office holder or MLA need to be reported?

Items of minimal value, such as pens, mugs, or books, given as tokens of appreciation in the context of an official interaction, generally meet both parts of the [exception test](#). The LTA requires that **ALL** gifts given or promised to be given by a lobbyist to ALL public office holders the lobbyist is lobbying must be declared. So, the gift in the given example is allowed, but it needs to be reported.

All gifts given or promised by a lobbyist to a public office holder the lobbyist is lobbying must be declared in the lobbyist's Registration Return. This includes gifts that meet the exception test.

A gift given or promised but not declared is a contravention of the LTA, including those that are incidental to protocol or social obligations and under the \$100 limit.

Invitations sent to BC POH: If we invite all of caucus but only half show up, do we have to apply a portion of the event to those MLAs that didn't attend?

The cost of hospitality to be declared is the total cost divided by the number of people invited.

For events where food, beverages, entertainment, or other hospitality will be provided, lobbyists must determine the value of what is offered to each public office holder invited to the event by **taking into account the total cost of the event** (including venue rental costs, food/catering costs, bar/beverage costs, service costs, music or entertainment costs, transportation costs, and any other costs involved in hosting the event) and then **dividing that total cost by the total number of people invited** to attend.

Example.: A group of 40 MLAs is invited to a luncheon paid for by an industry association wanting to inform the MLAs of its concerns regarding a particular aspect of proposed legislation. Five in-house lobbyists from the industry association attend and speak to the MLAs. The cost of the luncheon is \$25 per person X 45 people invited (40 MLAs plus 5 lobbyists) = \$1,125.00.

Declaration:

The organization declares a \$25 gift for each public office holder invited.

This is the case even if not all the public office holders invited attend the event.

This is the case even if not all of the organization's in-house lobbyists attend the event because it is the organization that sponsored the event, not the individual in-house lobbyists.

Do the gift rules for BC apply to federal staff?

No. The BC Lobbyists Registry should only reflect the lobbying of BC public office holders at the provincial level.

Is the gifts provision separate from lobbying in BC?

I.e., if you have a partnership agreement with gov't and have a partnership meeting with government staff, does paying for lunch or the meeting room qualify as a gift? Or is it only where the activity is considered lobbying?

If these activities do not qualify as lobbying, due to subsection 2(2)(c), then paying for lunch or other expenses of the meeting would not be considered a gift to a public office holder you are lobbying, under the LTA. Expenses paid by an NGO pursuant to an MOU or contract for services would likely not be considered a gift. Going forward, it may be prudent to include a specific reference (in the MOU or contract for service), to expenses paid by the organization, to state that reasonable expenses such as meals and travel for participating public office holders are a routine part of the MOU/contract expenses and are not considered gifts or other benefits under the LTA.

Do volunteers need to register and report as lobbyists in BC?

No, volunteers are not considered lobbyists because they are not being paid.

If a public office holder in the BC government buys an event ticket at the same or higher price as the public, it is not a gift, correct?

Correct, no gift to be declared.

What if an event has two ticket types, free for the public or at-cost for BC public office holders?

Is that an acceptable way to allow them to participate without risking exceeding the \$100 limit?

The guidance document titled [Lobbyist Gifts](#) states that the value of a gift is calculated according to the market value, which is described as the amount any member of the public would pay for the ticket. Therefore, if the ticket is free to the public, you would not need to declare this as a gift to any public office holders who attend.

Is the team delegate reporting all lobbying on behalf of the team, or only gifts on behalf of the team (w/ individual team members filling out the lobbying section themselves?)

One person is responsible for report about gifts on behalf of the team. For lobbying activities, each individual team member is responsible for his/her activities.

Do we need to provide mailing address or email address of every member of the coalition?

You should provide mailing address. E-mail address is optional, but we encourage you to provide as much details as you have.

If already registered but now part of a new coalition, do you have to now fill this in even though already registered?

Yes, you should report about all existing coalitions that you are member of if undertaking lobbying activities.

Does the registration info have to be updated every time a new member joins that Coalition?

If doing lobbying, yes.

If I've been registered for a long time, where can I see what I'm currently registered for, i.e., how do I update that?

We can extract those details for you. Please contact your Project Specialist or Compliance Specialist.

When the government invites you for a meeting or a workshop, is that still exempt from the lobbying definition?

Correct, meetings/workshops initiated by the government are not considered to be lobbying.

What about political staff, policy staff of the minister's office, are they considered senior?

"Senior public office holders" are a subset of public office holders. "Senior public office holders" include the following positions:

- Premier and ministers (members of the Executive Council)
- Staff of premier/staff of ministers (other than administrative support staff)
- MLA
- Staff of MLAs (other than administrative support staff)
- Parliamentary secretary
- Deputy minister, chief executive officer or a position of comparable rank in a ministry
- Associate deputy minister, assistant deputy minister or a position of comparable rank in a ministry
- Senior or next most senior ranking executive position of a Provincial entity
- Chair or vice chair of, or the equivalent position in, the governing body of a Provincial entity

A public office holder who is **not a "senior public office holder"** is:

- anyone in a ministry below the level of assistant/associate deputy minister;
- anyone below the two most senior ranking executive positions in a Provincial entity; and
- anyone below the level of chair or vice chair in the governing body of a Provincial entity.

This list may include an officer, director, or employee of any government corporation as defined in the Financial Administration Act.

Is there a distinction between conversations that take place outside of your formal MakeWay position (e.g. conversation with lobbying target as private individual, not MW staff)

In BC, with regard to giving gifts, if you are a lobbyist you are prohibited from giving a gift to a public office holder you are lobbying, regardless of your personal friendship.

Applying the same logic, if you are a lobbyist same rules apply to formal and informal relationship with POH.

What is grassroots communication?

Grassroots lobbying is when you ask the public to contact government. i.e. you are lobbying indirectly through the actions of others.

On the federal level do we need to report on all communications with federal bureaucrats, or only ones at a specific senior level?

On the federal level lobbyist should report lobbying **designated public office holder**.

The Lobbying Act created a statutory category of "designated public office holder" to include ministers, ministerial staff, deputy ministers and chief executives of departments and agencies, officials in departments and agencies at the rank of associate deputy minister and assistant deputy minister, as well as those occupying positions of comparable rank.

The first eleven positions or classes of positions were designated by way of regulation on July 2, 2008:

- Chief of the Defence Staff (Canadian Forces)
- Vice Chief of the Defence Staff (Canadian Forces)
- Chief of Maritime Staff (Canadian Forces)
- Chief of Land Staff (Canadian Forces)
- Chief of Air Staff (Canadian Forces)
- Chief of Military Personnel (Canadian Forces)
- Judge Advocate General (Canadian Forces)
- Any positions of Senior Advisor to the Privy Council Office to which the office holder is appointed by the Governor in Council
- Deputy Minister (Intergovernmental Affairs) (Privy Council Office)
- Comptroller General of Canada
- Any position to which the office holder is appointed pursuant to paragraph 127.1(a) or (b) of the Public Service Employment Act

The next three positions or classes of positions were designated by way of regulation on September 20, 2010:

- Members of Parliament
- Members of the Senate
- Any staff working in the offices of the Leader of the Opposition in the House of Commons or in the Senate, appointed pursuant to subsection 128(1) of the Public Service Employment Act.

In certain cases, an individual who occupies a DPOH position on an "acting" basis may become a DPOH for the purposes of the Act. Please refer to the Interpretation Bulletin entitled "Acting Appointments in Designated Public Office Holder Positions" for more details.

Do we need to report grassroots communications in our bi-annual political activity reports and in monthly lobbying reports ?

Yes, you will need to report it on both, political activity report and monthly lobbying activities report.

If I met with a City Councillor in Toronto, would I need to report this in the tracking tool?

If the purpose of the meeting was lobbying than yes, you would need to report it in the section "other jurisdictions". However, only the info about the jurisdiction and the amount of time you spent doing lobbying activities will need to be reported.

Where can we find the form for monthly tracking of the lobbying activities?

The form is shared every month with all staff in the monthly reminder to submit a lobbying report.

If we are asking a city councillor to share a volunteer opportunity in their newsletter, is that considered to be lobbying?

It is not lobbying and you do not need to report it.

Is one person from the Project required to report every month whether there is monthly lobbying activity?

While you don't have to report if there is no activity, we do encourage you to submit a "no activity report" so you're in the habit of reporting each month.

Does participation in a standing working group forum jointly administered by government count as lobbying?

Q. A staff member in one of our projects has joined this working group of government and civil society leaders: <https://open.canada.ca/en/multi-stakeholder-forum-open-government>. The staff member is not currently an in-house lobbyist.

My understanding is that the group was initially initiated by civil society, but is now jointly administered by government. GoC hosts the website. Membership, terms, and minutes are public. Topics include but are not limited to policy, “with a focus on the development, implementation and assessment of the Open Government Partnership (OGP) National Action Plan.”

Can you confirm my interpretation that this standing working group, administered with government, and transparent to the public, does not meet the definition of lobbying?

A. Based on the information provided, participation in the multi-stakeholder Forum on Open Government meets the [disclosure requirements related to the advisory and advisory and stakeholder consultations](#); therefore, MakeWay Charitable Society is not required to amend their current registration with this information.