



Lobbyists Transparency Act

LOBBYISTS TRANSPARENCY
REGULATION

B.C. Reg. 235/2019

Deposited November 25, 2019 and effective May 4, 2020

Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 235/2019 (O.C. 596/2019), deposited November 25, 2019 and effective May 4, 2020, is made under the *Lobbyists Transparency Act*, S.B.C. 2001, c. 42, s. 11.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at www.bclaws.ca.

Prepared by:
Office of Legislative Counsel
Ministry of Attorney General
Victoria, B.C.

Lobbyists Transparency Act

LOBBYISTS TRANSPARENCY REGULATION

B.C. Reg. 235/2019

Contents

1	Definition	1
2	Prescribed positions – former public office holders	1
3	Prescribed Provincial entities	1
4	Prescribed criteria for relevant code of conduct	1
5	Prescribed criteria for determination of time	1
6	Prescribed amount for gift-giving prohibition	2
7	Prescribed amount for contributions toward lobbying activity	2
8	Prescribed information for registration return – intended outcome	2
9	Prescribed information for registration return – organization for relevant code of conduct	2
10	Prescribed positions – senior public office holders	2
11	Prescribed information for monthly return – date of gift or benefit and intended outcome	2
12	Receipt of returns or documents	3
13	Subsequent submission of returns and other documents	3
14	Prescribed provisions – monetary administrative penalties and prohibitions	3
15	Notice and service under the Act	3
	APPENDIX	4

Point in time from May 4, 2020 to July 11, 2021

Lobbyists Transparency Act

LOBBYISTS TRANSPARENCY REGULATION

B.C. Reg. 235/2019

Definition

- 1 In this regulation, “Act” means the *Lobbyists Transparency Act*.

Prescribed positions – former public office holders

- 2 (1) For the purposes of paragraph (c) (iii) of the definition of “former public office holder” in section 1 (1) [*interpretation*] of the Act, the following positions in a Provincial entity are prescribed:
- (a) the most senior or next most senior ranking executive position of a Provincial entity listed in the Appendix of this regulation;
 - (b) the chair or vice chair of, or the equivalent position in, the governing body of a Provincial entity listed in the Appendix of this regulation.
- (2) If more than one individual formerly occupied a position that is equivalent to a position referred to in subsection (1) (a) or (b), each of those individuals is deemed to have occupied the position referred to in that subsection.

Prescribed Provincial entities

- 3 For the purposes of the definition of “Provincial entity” in section 1 (1) of the Act,
- (a) subject to paragraph (b), the following Provincial entities are prescribed:
 - (i) the Workers’ Compensation Board;
 - (ii) the entities that make up the government reporting entity within the meaning of the *Budget Transparency and Accountability Act*, except the government as reported through the consolidated revenue fund, and
 - (b) the Provincial entities listed in the Appendix of this regulation are prescribed when used for the purposes of the following provisions:
 - (i) paragraph (c) (iii) of the definition of “former public office holder” in section 1 (1) of the Act;
 - (ii) section 1 (3) (d) of the Act.

Prescribed criteria for relevant code of conduct

- 4 For the purposes of paragraph (c) of the definition of “relevant code of conduct” in section 1 (1) of the Act, the prescribed criterion is that there is an organization responsible for the administration of the code of conduct.

Prescribed criteria for determination of time

- 5 For the purposes of prescribing criteria under section 11 (2) (a.6) [*power to make regulations*] of the Act for the determination of time spent lobbying under section 1 (4) of the Act, the determination of time spent lobbying includes all time

spent on activities, including preparation, that are directly related to carrying out a lobbying activity.

Prescribed amount for gift-giving prohibition

- 6 For the purposes of section 2.4 (2) (b) [*gift-giving prohibition*] of the Act, the prescribed amount is \$100.

Prescribed amount for contributions toward lobbying activity

- 7 For the purposes of section 4 (1) (g.3) (i) [*form and content of return*] of the Act, the prescribed amount is \$1 000.

Prescribed information for registration return – intended outcome

- 8 For the purposes of section 4 (1) (p) of the Act, the prescribed information is the intended outcome of each lobbying activity.

Prescribed information for registration return – organization for relevant code of conduct

- 9 For the purposes of section 4 (1.2) (b) (ii) of the Act, the prescribed information is the name and contact information of the organization responsible for the administration of the relevant code of conduct.

Prescribed positions – senior public office holders

- 10 (1) Subject to subsection (2), for the purposes of paragraph (h) of the definition of “senior public office holder” in section 4.2 (1) [*form and content of monthly returns*] of the Act, the following positions are prescribed:
- (a) the most senior or next most senior ranking executive position of a Provincial entity;
 - (b) the chair or vice chair of, or the equivalent position in, the governing body of a Provincial entity.
- (2) If more than one individual occupies a position that is equivalent to a position referred to in subsection (1) (a) or (b), each of those individuals is deemed to occupy the position referred to in that subsection.

Prescribed information for monthly return – date of gift or benefit and intended outcome

- 11 For the purposes of section 4.2 (2) (h) of the Act, the following information is prescribed:
- (a) the date on which a gift or benefit referred to in section 4.2 (2) (g) of the Act was given and accepted or promised to be given, as applicable;
 - (b) the intended outcome of each lobbying activity.

Receipt of returns or documents

- 12** (1) For the purposes of section 6 (2) [*submission of documents in electronic or other form*] of the Act, a return or other document that is received by the registrar in electronic or other form is deemed to be received at the time it is date stamped by the office of the registrar.
- (2) A return or other document that is received by the registrar in paper form by mail or physical delivery after 5 p.m. on a business day is deemed to be received on the next business day.

Subsequent submission of returns and other documents

- 13** (1) If a return or other document is submitted to, or filed with, the registrar and the return or other document requires correction, section 7 (4) to (7) [*designation and functions of registrar*] of the Act applies to the refusal of the return or other document, which corrected return or other document is to be filed or submitted within the reasonable extension of time allowed by the registrar.
- (2) Section 6 of the Act and section 12 of this regulation apply if a return or other document referred to in subsection (1) of this section is submitted in electronic or other form.

Prescribed provisions – monetary administrative penalties and prohibitions

- 14** For the purposes of section 7.2 (2) [*hearing and administrative penalty*] of the Act, the following are prescribed provisions of the Act:
- (a) section 2.1 (2) [*contracting prohibition*];
 - (b) section 2.2 [*lobbying prohibition*];
 - (c) section 2.4 [*gift-giving prohibition*];
 - (d) section 3 (1) and (3) [*requirement to file return*];
 - (e) section 4 (1) and (1.2) [*form and content of return*];
 - (f) section 4.1 [*requirement to file monthly return*];
 - (g) section 4.2 [*form and content of monthly returns*].

Notice and service under the Act

- 15** (1) Any notice or other thing that, under the Act, must be given to or served on a person may be given or served by registered mail sent to the last known address of the person.
- (2) If a notice or other thing under the Act is sent by registered mail to the last known address of the person, the notice or other thing is deemed to be given to or served on the person to whom it is addressed on the 14th day after deposit with Canada Post unless the person received actual service before that day.

LOBBYISTS TRANSPARENCY REGULATION

Appendix

APPENDIX

Item	Provincial Entity
1	A board of education or a francophone education authority, as defined in section 1 (1) of the <i>School Act</i>
2	BC Financial Services Authority
3	BC Games Society
4	BC Immigrant Investment Fund Ltd.
5	B.C. Pavilion Corporation
6	BC Transportation Financing Authority
7	BCNET
8	British Columbia Assessment Authority
9	British Columbia Council for International Education
10	British Columbia Enterprise Corporation
11	British Columbia Housing Management Commission
12	British Columbia Hydro and Power Authority
13	British Columbia Institute of Technology
14	British Columbia Lottery Corporation
15	British Columbia Public School Employers' Association
16	British Columbia Railway Company
17	British Columbia Securities Commission
18	British Columbia Transit
19	Camosun College
20	Canadian Blood Services
21	Capilano University
22	College of New Caledonia
23	College of the Rockies
24	Columbia Basin Trust
25	Columbia Power Corporation
26	Community Living British Columbia
27	Community Social Services Employers' Association of British Columbia
28	Creston Valley Wildlife Management Authority Trust Fund
29	Crown Corporations Employers' Association
30	Destination BC Corp.
31	Douglas College
32	Emily Carr University of Art and Design
33	First Peoples' Heritage, Language and Culture Council
34	Forest Enhancement Society of British Columbia
35	Forest Innovation Investment Ltd.
36	Fraser Health Authority

LOBBYISTS TRANSPARENCY REGULATION

Appendix

Item	Provincial Entity
37	Health Employers Association of British Columbia
38	Industry Training Authority
39	Innovate BC
40	Insurance Corporation of British Columbia
41	Interior Health Authority
42	Justice Institute of BC
43	Knowledge Network Corporation
44	Kwantlen Polytechnic University
45	Langara College
46	Legal Services Society
47	Louis Brier Home and Hospital
48	Menno Hospital
49	Mount St. Mary Hospital
50	Nechako-Kitamaat Development Fund Society
51	Nicola Valley Institute of Technology
52	Nisga'a Valley Health Authority
53	North Island College
54	Northern Health Authority
55	Northern Lights College
56	Northwest Community College
57	Oil and Gas Commission
58	Okanagan College
59	Organized Crime Agency of British Columbia Society
60	Partnerships British Columbia Inc.
61	Post-Secondary Employers' Association
62	Providence Health Care Society
63	Provincial Health Services Authority
64	Provincial Rental Housing Corporation
65	Real Estate Council of British Columbia
66	Real Estate Foundation of British Columbia
67	Royal British Columbia Museum Corporation
68	Royal Roads University
69	Selkirk College
70	Simon Fraser University
71	St. Joseph's General Hospital
72	St. Michael's Centre
73	Thompson Rivers University
74	Trades Training Consortium of British Columbia

LOBBYISTS TRANSPARENCY REGULATION

Appendix

Item	Provincial Entity
75	Transportation Investment Corporation
76	University of British Columbia
77	University of Northern British Columbia
78	University of the Fraser Valley
79	University of Victoria
80	Vancouver Coastal Health Authority
81	Vancouver Community College
82	Vancouver Island Health Authority
83	Vancouver Island University
84	Workers' Compensation Board

Copyright © 2020, Province of British Columbia