

LOBBYING

Any organization that has staff collectively work on advocacy addressing specific BC/provincial legislation, and that work by any/all staff on any/all advocacy that is listed which exceeds 100 hours/year, must then register as an in-house lobbyist¹. Most Chambers of Commerce/Boards of Trade would easily surpass the 100 hours, if they are in the least bit active with their local MLAs, their policy/letter writing/op-eds, and other such advocacy. For the purposes of the Chambers/Boards, whose mandate is to advocate and, by definition, lobby government officials for their members (not paid clients, presumably), there is a case to be made for an exception to much of the legislated expectations.

Background

As per the Lobbyists Registration Act² and Regulation:

- Chambers/Boards are “in-house” lobbyists rather than consultant lobbyists – unless they have been paid a fee specific to a lobby activity by a third party
- Chambers/Boards mandate (going back 460+years) is to advocate on behalf of their business members to all levels of government
 - Local & regional
 - Provincial
 - Federal
- For local/regional and federal Chambers/Boards do not need to register their interactions with government representatives or officials – this is specific to BC/Provincial government
- Any organization that has staff collectively work on advocacy addressing specific BC/provincial legislation, and that work by any/all staff on any/all advocacy that is listed which exceeds 100 hours/year, must then register as an in-house lobbyist. 100 hours is the equivalent of 12.5 days.
- Intent, according to the Registrar’s manager, is described as “once a decision is made to do an activity” that falls under the lobby list, the “clock starts ticking.” This means that the intent to do an activity must be registered within 30 days. How this works:
 - An organization registers as an in-house lobbyist is required to list its intent to reach out to various ministers, describing the various policies/legislation/program, etc., they anticipate to advocate for in the following 6 month period
 - As each item listed is completed (sent letter, had meeting, submitted policy), or changed, that action is required to be registered within 30 days of completion or change
 - If an organization determines an additional activity may be required, that intent is also required to be registered within 30 days of the decision to act is made
- Activities such as round-tables (unless specific to an issue with a determined ask), invites to events, etc., do not apply

Given that the webpage is not as user friendly, the time to fulfill the obligations as expected include:

- Tracking each and every encounter with Ministers and MLAs of the governing party and determining whether it falls into the categories listed or not – by both staff & board members if representing the organization
- Tracking each and every decision to act – even verbally – on a given government policy/legislation/program, etc.

¹ Lobbyists Registration Regulation http://www.bclaws.ca/civix/document/id/complete/statreg/284_2002

² Lobbyists Registration Act http://www.bclaws.ca/civix/document/id/complete/statreg/01042_01

- Tracking each and all communications that request the government/minister do “something” about a policy/legislation/program, etc.
- Determine whether all activities taken by the Chamber/Board all staff add up to 100 or more hours
- Then register, listing up to 6 months of anticipated activities
- And set the calendar for monthly reminders to update with all the activities that may have occurred that differ from the original list – completion, changes, new intents – that will need to be tracked carefully

Given the above bureaucratic expectation to track and register what would be seen as a major part of Chambers/Boards’ operational plan (and has been for over 460 years of Chamber history); AND

Given that Chambers/Boards are not required to register all advocacy activities with local governments/federal government; AND

Given that the Chambers/Boards recognize the original intent of the lobbying registration legislation;

THE CHAMBER RECOMMENDS

That the Provincial Government:

1. Remove and acknowledge that Chambers of Commerce/Boards of Trade are exempted from the list of organizations that are required to register regardless of 100 hours minimum, unless they are acting as a paid agent to a third party;
2. Remove the need to register all intents to act, just track/register the actual act (letter, meeting, policy) upon completion; and,
 - a. Simplify the online form by developing a portal specific to Chambers of Commerce/Boards of Trade to quickly “note” the advocacy action taken.

Submitted by the Surrey Board of Trade