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This document accompanies
an IntegralOrg video toolkit

LOBBYING by Nonprofits and Charities: What nonprofits and charities need to know when lobbying across Canada



For nonprofits and charities
that lobby in the jurisdiction of

BRITISH COLUMBIA

The following accompanies an *IntegralOrg* video toolkit: *LOBBYING by Nonprofits and Charities: What nonprofits and charities need to know when lobbying across Canada.*

This information is meant as a summary only of what IntegralOrg deemed to be useful and relevant points of lobbying legislation in this jurisdiction current as of as of May 4, 2020.

Consult the appropriate legislation and read the disclaimer included in this document.

Legislation: British Columbia – Lobbyists Registration Act SBC 2001, Chapter 42

Website/landing page

http://www.bclaws.ca/civix/document/id/complete/statreg/01042_01

Registration URL/ How to Register

<https://www.lobbyistsregistrar.bc.ca/handlers/DocumentHandler.ashx?DocumentID=354>

Does lobbying legislation apply to charities?

Yes, section 1(1) defines an “organization” to include a charitable or not-for-profit organization, association, society, coalition, or interest group.

Exemptions

Yes, section 1(1) now defines “in-house lobbyist” to mean, unless otherwise exempt, a person who is an employee, officer or director of an organization, receives a payment for the performance of the person’s functions, and lobbies on behalf of the organization or an affiliate.

The exemptions in s. 1(4) provide that an individual is not an in-house lobbyist if:

- i. the individual is an employee, director or officer of an organization that has fewer than 6 employees;
- ii. the lobbying by the individual, either alone or together with other individuals in the organization, on behalf of the organization or an affiliate of the organization totals fewer than 50 hours in the preceding 12-month period, or meets other prescribed criteria, unless the primary purpose of the organization is to represent the interests of its members, or to promote or oppose issues, and the lobbying by the individual is for that purpose.

Registration threshold

According to section 3(1), consultant lobbyists shall register a registration form within 10 days after beginning to lobby on behalf of a client. In the case of in-house lobbying, section 3(3) requires the designated filer of an organization to file a return with the Registrar, within 10 days of the date the organization first had an in-house lobbyist.

What activities count as lobbying?

Section 1(1) of the Act defines lobbying as communication or the arranging of a meeting with a public office holder and any other person in an attempt to influence:

- i. the development of any legislative proposal by the BC government, a provincial entity or a member of the Legislative Assembly,
- ii. the introduction, amendment, passage or defeat of any Bill or resolution before the Legislative Assembly,
- iii. the development, establishment, amendment or termination of any program, policy, directive or guideline of the BC government or a provincial entity,

- v. the award, amendment or termination of a contract, grant or financial benefit by or on behalf of the BC government or a provincial entity,
- vi. a decision by the Executive Council to transfer from the Crown any interest in or asset of any business, enterprise or institution that provides goods or services to the Crown, a provincial entity or the public, or
- vii. a decision by the Executive Council to have the private sector (instead of the Crown) provide goods or services to the BC government or a provincial entity.

Note that a person who is a former public office holder must not lobby within 2 years of ceasing to hold the specific office referred to under section 2.2, unless exempted by the Registrar under section 2.3(1) on grounds of public interest.

Penalties for not registering

Section 10 imposes a maximum fine of \$25,000 for a first offence and a maximum of \$100,000 for a subsequent offence. In addition, the Registrar may, in the interest of the public and taking into account the gravity of the offence and number of previous convictions or administrative penalties imposed, prohibit the offender from lobbying and filing any return for a maximum of 2 years.

Grassroots lobbying definition

“Grassroots” communication/lobbying is not defined under the BC Lobbyists Registration Act.

Does lobbying legislation apply to volunteers?

Registration requirement only apply to in-house lobbyists who receive payment for the performance of their functions.

Additional

The Lobbyists Registration Amendment Act, 2018 came into force on May 4, 2020.

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All information or advice provided as part of this presentation is intended to be general in nature and you should not rely on it in connection with the making of any decision.

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