

LOBBYISTS TRANSPARENCY ACT

The *Lobbyist Transparency Act* came into effect on May 4, 2020. These changes create strict reporting requirements for any lobbying in the province.

The PEA will be registering with the lobbyist registry. Under previous legislation, if an organization lobbied less than 100 hours a year they were not required to register. This was the case for the PEA; however, under the new legislation, all organizations that lobby must register, regardless of hours spent lobbying.

This is important for you to know because the PEA is now responsible for reporting on any lobbying activity. If you have volunteered to meet with a politician on behalf of your chapter the PEA will support you. These meetings are an opportunity to share the stories of our members and we thank you for your courage and leadership to come forward and be part of this important work.

What is considered lobbying?

Trying to influence:

- Legislation, regulations, or bills
- A program, policy, directive or guideline
- A contract, grant or financial benefit
- A decision to transfer from the province any business, enterprise or institution that provides goods and services
- A decision to have the private sector instead of the province provide goods or services to the province or a provincial entity
- Or to arrange a meeting with a public office holder for any of the above reasons

Note: The act of requesting a meeting with a lobbying target is considered lobbying. Please coordinate your meeting requests through the PEA office.

What is not considered lobbying?

- Labour relations
- Collective bargaining
- Talking to your own MLA about an issue that impacts you personally.
- Replying to a question from a government official that has been asked in writing
- Asking about existing programs, laws and regulations

Who is considered a lobbying target?

If you are lobbying senior public office holders, you must register your lobbying activity. Senior public

LOBBYISTS TRANSPARENCY ACT

WHAT YOU NEED TO KNOW

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 s 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

For the PEA, Chair or Vice-chair of provincial entities includes:

- The President and Vice-Presidents at the University of Victoria
- CEO and Executive Vice-Presidents at the BC Oil and Gas Commission
- CEO and Vice-Presidents at Health Authorities
- CEO and Vice-Presidents at Legal Aid BC
- The Executive Director and the Director of Enforcement Services at the Family Maintenance Agency

Who must register?

PEA Staff (Executive Director, Labour Relations Officers and Communications Officers) are registered.

The following members are not required to register:

- A 'shop floor' member who receives a one day book off to attend one lobbying meeting
- A 'shop floor' member who volunteers to attend a lobbying meeting
- A Local Rep who receives union leave to attend lobbying meeting if they do not work for the union as employees, officers or directors
- Executive members who volunteer to attend a lobbying meeting provided they haven't paid to book them off

LOBBYISTS TRANSPARENCY ACT

WHAT YOU NEED TO KNOW

The following members are required to register:

- If a member of the PEA Association Executive attends a meeting and receives union leave, they must register as a lobbyist through the PEA.
- The Office of Registrar of Lobbyists indicates that PEA Chapters may be required to register Chapter Executive members where they are lobbying autonomously based on the specific context. Chapter Executive members who engage in autonomous lobbying activities are likely required to register as a Chapter and must contact their PEA Labour Relations Officer or Executive Director to discuss the circumstances prior to lobbying. PEA staff can assist chapters in making inquiries to the Office of the Registrar of Lobbyists about specific lobbying initiatives.

Generally, to avoid any complications over-reporting and registration, PEA members who attend a lobbying meeting will act as sources of technical information and to provide first-hand stories to the lobbying targets. Staff will make the formal 'ask' in the lobbying meetings.

What happens if we contravene the act?

Non-compliance with the Lobbyist Transparency Act could lead to a monetary fine up to \$25,000 and/or an administrative penalty of a prohibition on lobbying for up to two years.

What do I need to do?

If you are considering meeting any of the lobbying targets listed above, please inform your Labour Relations Officer or the Executive Director. They will be able to provide guidance. The PEA Executive will be approving additional policy direction in June to ensure the PEA is compliant with legislation.

We will continue to provide information on the Lobbyist Registry. In the meantime, please reach out if you have any questions.