

# Report to Council



**Date:** December 2, 2024  
**To:** Council  
**From:** City Manager  
**Subject:** Council Policy No. 390 – Lobbyist Registry  
**Department:** Office of the City Clerk

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**Recommendation:**

THAT Council receive, for information, the report from the Office of the City Clerk dated December 2, 2024, regarding a review of Council Policy No. 390 – Lobbyist Registry;

AND THAT Council direct staff to bring forward for Council consideration amendments to Council Policy No. 390 – Lobbyist Registry as set out in the report from the Office of the City Clerk dated December 2, 2024.

**Purpose:**

To review Council Policy No. 390 – Lobbyist Registry and advance amendments to the Policy.

**Background:**

Council Policy No. 390 – Lobbyist Registry was adopted on September 11, 2023. The Policy sets out a requirement that individuals who engage in lobbying of a Council member must be registered with the City. The Policy defines “lobbying” as meeting or communicating with a Council member for the purpose of influencing a decision of Council, subject to certain exceptions. Any person who engages in lobbying is thereby a “lobbyist”, regardless of whether the person is paid or unpaid, or acting as a representative of a commercial organization, a community group, or in an individual capacity.

Every lobbyist must register with the City within five days of lobbying a Council member. The Office of the City Clerk maintains a publicly accessible Lobbyist Registry with details on registrants including name, organization (if any), subject matter, and other information. The Lobbyist Registry may be viewed [online](#).

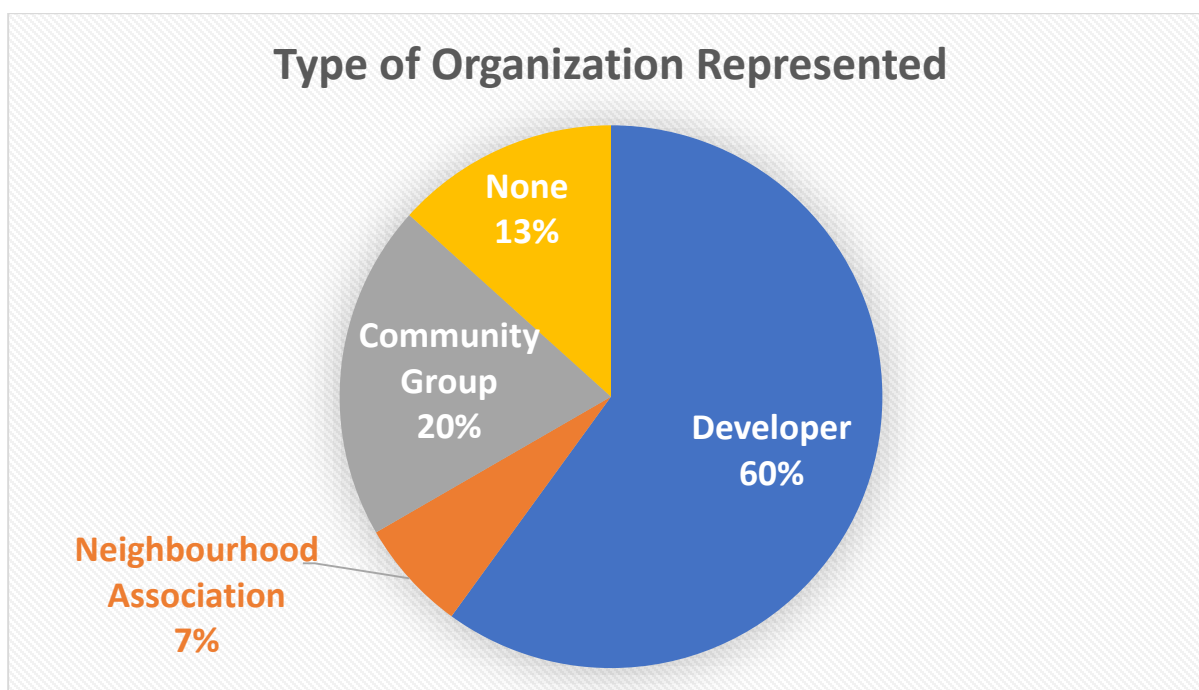
**Discussion:**

As of the end of October 2024, a total of 46 registrations have been accepted by the City Clerk’s Office since the Policy was adopted. This is distinct from the number of unique individuals represented in the

Registry (41). It is anticipated that the total number of registrations will always exceed the number of unique individuals in the Registry for the following reasons:

- Registrations are only valid for a period of six months, after which the person must re-register if they continue lobbying, and the Registry contains a complete record of both current and expired registrations;
- A lobbyist is required to file a separate registration for each topic with respect to which they are lobbying;
- A lobbyist may engage in lobbying in multiple different capacities, e.g. as both a representative of an organization and as an individual resident, and must file a separate registration for each; and
- Multiple individuals may be listed on a single registration (e.g., several employees at one company).

Of the 46 registrations to date, approximately 87% were submitted by an individual acting on behalf of an organization, whereas the remaining 13% were submitted by an individual with no organizational affiliation. As shown in the chart below, 60% of all registrations were submitted by a person acting on behalf of an organization connected with the development industry. A further 20% were associated with a community interest group, while the remaining 7% were associated with a neighbourhood association.



### *Enforcement*

While it is mandatory under the Policy for lobbyists to register with the City, the Policy does not automatically impose any penalties or other consequences for lobbyists who fail to register. The Policy instead sets out a “progressive enforcement” approach focused on education and encouraging unregistered lobbyists to come into compliance.

Individuals seeking to meet or communicate with members of Council are routinely reminded by staff to familiarize themselves with the Policy and register if appropriate. This includes both proponents of development applications as well as members of community groups, neighbourhood associations, as well as individual residents without an organizational affiliation. While individuals communicating via Mayor and Council correspondence are not deemed to be lobbyists under the Policy, staff assess whether there is a reasonable possibility that such individuals may engage in lobbying and, when appropriate, staff will provide information about the Policy and its requirements.

When a lobbyist is not in compliance with the Policy the City Clerk may choose to inform Council of the circumstances such that Council may consider taking further action. The Policy anticipates that Council members may respond by choosing not to communicate with a noncompliant lobbyist, or that Council as a whole may choose not to consider a development application from a noncompliant lobbyist who is acting on behalf of a developer until they are in compliance. By focusing on education and awareness for those engaging with Council, this option has not yet been used.

### *Other Municipalities*

Other municipalities in BC are exploring options to establish a lobbyist registry, with somewhat differing approaches. Earlier in 2024, Port Moody's Council opted not to pursue a lobbyist registry, while New Westminster is advocating for legislative amendments to give municipalities specific authorities to regulate lobbyists with more enforcement tools. Vancouver is considering establishing a lobbyist registry pending responses from the Province to recent UBCM resolutions. As far as staff are aware, Surrey is the only other BC municipality with a lobbyist registry, which remains limited to development applications.

A review of lobbyist registries policies in municipalities outside of BC shows that most apply to businesses and individuals with a financial interest in a Council decision. Few apply to organizations or individuals engaging in broader public advocacy or personal matters that are not financial in nature.

### *Recommended Amendments to the Lobbyist Registry Policy*

Staff are recommending two amendments to the Policy as summarized in the table below. The purpose of these amendments is to streamline the registration process, reduce administrative overhead, and ensure that the obligation to register is applied in the appropriate circumstances.

| Section #          | Current Text   | Proposed Change   | Rationale   |
|--------------------|--|---|---|
| <b>Application</b> | "Lobbyist" means an individual, whether paid or voluntary, who lobbies an elected official regarding a matter within Council's jurisdiction. The lobbyist may represent individual interests or represent an organization, | Narrow definition of "lobbyist" to apply only to individuals who lobby with respect to an issue in which they have a direct or indirect financial interest. | The broad definition of "lobbyist" has produced a Registry in which approximately 40% of registrations are from members of community groups, neighborhood associations, and individual concerned residents engaged in public advocacy. Narrowing the definition to those with a financial interest at stake supports the express Guiding Principle of the |

| Section #           | Current Text   | Proposed Change  | Rationale  |
|---------------------|--|--|--|
|                     | whether employed by that organization or on behalf of a different organization.  |  | Policy in promoting transparent, accountable government. This is consistent with Lobbyist Registry requirements in other jurisdictions.  |
| <b>Section 1(c)</b> | Each registration is considered active for six months, after which a new registration must be filed for lobbying activities. | Extend the active period of each registration from six months to one year. | With each registration expiring after six months, individuals who lobby regularly are required to register twice per year. A longer active period will simplify the process and reduce the administrative burden of managing the Registry. |

**Conclusion:**

Staff will continue to educate potential lobbyists about the Policy and its registration requirements, particularly when engaging with individuals through the development application process and Mayor and Council correspondence. It is anticipated that the recommended changes will streamline the process and promote greater ease of compliance.

**Internal Circulation:**

**Considerations applicable to this report:**

***Existing Policy:***

[Council Policy No. 390 – Lobbyist Registry](#)

**Considerations not applicable to this report:**

***Legal/Statutory Authority:***

***Legal/Statutory Procedural Requirements:***

***Financial/Budgetary Considerations:***

***Consultation and Engagement:***

Submitted by: M. Jud, Deputy City Clerk

**Approved for inclusion:** L. Bentley, City Clerk