

**MINISTRY OF ATTORNEY GENERAL  
LIQUOR DISTRIBUTION BRANCH  
BRIEFING NOTE**

**PURPOSE:** For INFORMATION for David Eby, QC  
Attorney General

**ISSUE:** Anti-money laundering practices in the liquor industry

**SUMMARY:**

- In November 2016, the LDB finalized written policies to formalize the reporting of large cash transactions and suspicious transactions in BC Liquor Stores and provide for proactive reporting to the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC), if deemed appropriate.
- BC Liquor Stores, like most other retailers, are not considered "Reporting Entities" under the Acts that operate under FINTRAC.

**BACKGROUND:**

BC Liquor Stores:

- The **Large Cash Transactions** policy outlines that, for transactions where all or part of the tender is cash in excess of \$10,000:
  - Cash that is part of a Large Cash Transaction must be counted twice: first, in front of the customer and then, immediately upon completion of the sale,<sup>s.15</sup>
  - s.15
  - Before the end of their shift, employees must create a Security Incident Report (SIR) for each Large Cash Transaction that they processed during that shift.
  - If a customer asks for their purchases to be divided into multiple transactions but the total cash received for the transactions exceeds \$10,000 Canadian (or equivalent), the group of transactions is collectively a Large Cash Transaction and this policy still applies.
  - All Large Cash Transactions will be reviewed by the Corporate Loss Prevention department and may be investigated further, depending on the circumstances.
- The Suspicious Transactions Policy outlines that, when there are reasonable grounds to suspect a transaction is related to a criminal offence:
  - Customers will be asked to provide government-issued identification for all Suspicious Transactions that involve a credit or debit card, to verify the identity of the cardholder.

- Whenever an employee feels there has been a Suspicious Transaction, they must advise the Manager on Duty (MOD) and request their presence at the register before processing the transaction.
- The MOD must review the circumstances of the transaction, including the reasons why the employee feels the transaction is suspicious, and if the MOD agrees that it is a Suspicious Transaction, they are authorized to refuse the sale at their sole discretion.
- Before the end of their shift, employees must create a Security Incident Report (SIR) for each Suspicious Transaction that they processed during that shift, whether or not the MOD refuses the sale.
- Once submitted, all SIRs are reviewed by Corporate Loss Prevention.
- If Corporate Loss Prevention considers it may be necessary to report a transaction to FINTRAC, they will escalate the issue to the LDB's Executive Management Committee for decision.
- The LDB's Corporate Loss Prevention department maintains good relationships within the law enforcement community and works closely with them to support investigations, where appropriate.

#### **Training:**

- All BC Liquor Store employees undergo training to learn how to identify potentially suspicious or criminal activity. For instance, all employees are required to review a new employee orientation manual that teaches them how to detect counterfeit bank notes by checking features such as the feel of the polymer notes, the bleed or fade of the colour or numbers and checking for holograms, watermarks and other security features.
- The manual also outlines the steps to take if an employee believes that a customer has attempted to use counterfeit currency, which include obtaining supervisor verification of a note if needed and, if the customer leaves without the note, notifying police of the suspected counterfeit and giving the note to police when they attend.
- There are also policies surrounding the return process, to help prevent fraud. For example, all refunds over \$2,500 must be approved and issued directly by Head Office. Store Managers are encouraged to routinely review refunds for any irregularities.

#### **Nature of Transactions**

- During fiscal 2016, there were 24 cash transactions over \$10,000 at BCLSSs. To put this number in context, over this same time period there were over 40 million counter customers served at BCLSSs.
- The 24 cash transactions totalled \$783,782, with 15 transactions taking place at the <sup>s.15</sup> location and 7 transactions at the <sup>s.15</sup> location.
- At least 5 of the 24 cash transactions took place on the same days as the annual Bordeaux and Premium Spirit releases. These exclusive product releases are

held once a year and cater to connoisseurs and collectors, during which BCLS often see customers making large/expensive purchases.

- According to BCLS staff, large cash transactions are typically made by regular customers who are known by staff and, in many instances, are customers with whom the staff have cultivated strong relationships. These customers also tend to be collectors who purchase specific products.
- Over time, BCLSs have seen a decrease of cash-only transactions as more customers choose to use credit and debit cards.

#### Private Retailers:

- The Liquor Control and Licensing Branch inspects the register for Licensee Retail Stores (LRS) as part of liquor inspectors' routine inspection function.
- The key function of this inspection is to confirm that all of the product was purchased legally from the LDB or authorized sources.
- There is currently no process for audits of large sales transactions in LRSs as the key aim is to ensure legal purchase.
- However, occasionally liquor inspectors may audit or request sales receipts if they have reason to believe that an LRS may have sold liquor to Special Event Permittee.
- LCLB has engaged with ABLE to confirm requirements for liquor registers to provide certainty to licensees respecting LCLB expectations of format and content.

#### **NEXT STEPS:**

- In advance of the upcoming BC Liquor Stores Spirit Release on November 4, a reminder about the policies will be distributed to all BCLS employees.

#### **OTHER MINISTRIES IMPACTED/CONSULTED:**

- N/A

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**MINISTRY OF ATTORNEY GENERAL  
CORPORATE MANAGEMENT SERVICES  
BRIEFING NOTE**

**PURPOSE:** For INFORMATION for Honourable David Eby, Attorney General

**ISSUE:** ICBC Updated 2017/18 Shared Priorities Direction Letter

**SUMMARY:**

- The Minister responsible for ICBC issues an annual direction letter to ICBC identifying priority non-insurance projects that ICBC is to implement on government's behalf.
- The 2017/18 Shared Priorities Direction Letter to ICBC was issued on March 29, 2017. Following the change in government, a Shared Priorities Management Committee reviewed and updated the shared priorities to ensure it reflects current priorities.
- The Updated 2017/18 Direction Letter lists the priority projects for ICBC to either continue or initiate before March 31, 2018.
- Priorities for 2018/19 will be assessed and an updated letter issued to ICBC in Spring 2018.

**BACKGROUND:**

- ICBC implements various non-insurance projects on behalf of government; these projects are identified by government agencies and are referred to as Shared Priorities.
- The volume of requests for non-insurance projects exceeds ICBC's capacity to deliver these projects. To manage this, a cross-government Shared Priorities Management Committee established under a 2003 Service Agreement between ICBC and government reviews and prioritizes all applications for non-insurance services. The minister responsible directs ICBC to continue or initiate work on the priority projects identified.
- The Shared Priorities Management Committee membership is comprised of four ICBC and four government representatives. ICBC representatives are Steve Crombie (co-chair), Lindsay Matthews, Nirmal Kaila, and Sharon Craver. Current Government representatives are Shauna Brouwer (co-chair), Sam MacLeod, Holly Cairns, and Jeff Groot. The committee meets at least quarterly to review applications for priority projects with the Direction Letter to ICBC updated at least annually to provide direction to ICBC.
- ICBC, as required in the 2003 Service Agreement, established a Change Management Fund with an annual budget of \$250,000 to assist in implementing non-insurance projects. Project costs are guided by a funding framework and are typically funded by the sponsoring agency.

- New priority projects added to the Updated 2017/18 Direction Letter include the cannabis legalization, ICBC financial sustainability measures and expanding the Intersection Safety Camera Program. Projects removed include the Transformation Program and the expansion of the Organ Donation Registry as these projects are completed.

**OTHER MINISTRIES IMPACTED/CONSULTED:**

- Priority projects include projects with the Ministries of Health, Citizens' Services, Environment, and Public Safety and Solicitor General.

**Prepared by:**

Melissa Kortum  
Manager, Crown Agencies

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**Approved by:**

Shauna Brouwer, Assistant Deputy Minister  
Corporate Management Services

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**Attachment:** Shared Priorities Direction Letter 2018

Joy MacPhail  
Board of Directors  
Insurance Corporation of British Columbia  
Executive Office  
151 West Esplanade, Room 517  
North Vancouver BC V7M 3H9

Reference: Cliff #546075

Dear Chair MacPhail:

**Re: Shared Priorities Direction Letter 2017/18 Update – Direction to the Insurance Corporation of BC**

As part of the Insurance Corporation of British Columbia's (ICBC's) regulatory framework, a Service Agreement between ICBC and government was established in September 2003. The Service Agreement governs the delivery of ICBC's non-insurance services. An annual addendum to the Service Agreement provides the British Columbia Utilities Commission (BCUC) with information on the nature and cost of ICBC providing these services on behalf of government.

Shared priorities are an additional category of non-insurance projects that have been identified by government, and that ICBC implements on government's behalf. A list of ongoing and proposed non-insurance projects are reviewed and prioritized each year by a Management Committee (as per the Service Agreement), which includes representation from ICBC, Ministry of Public Safety and Solicitor General, and Ministry of Attorney General, which is guided by the Funding Framework and typically funded by the sponsoring agency. The 2017/18 Shared Priorities list has been updated for 2017/18 and includes all of the current priority projects that ICBC will undertake before March 31, 2018.

ICBC is directed to either continue or initiate work on each of the projects in the list of Shared Priorities for 2017/18 included in Table 1 (attached), subject to funding agreements with the lead ministry being established. I understand that ICBC has confirmed that, based on its current understanding of scope and timing, it will be able to allocate the required resources for each of the projects listed in Table 1.

I also want to bring to your attention a second category of projects identified for future consideration in Table 2. These projects are currently under discussion and/or consideration and are contingent on ICBC's capacity to initiate and complete work identified in Table 1. The Management Committee will continue to track these projects as future priorities to be reviewed with ICBC and partner ministries to determine viability.

.../2

I look forward to learning of your progress on these projects over the coming months.

Sincerely,

David Eby, QC  
Minister

Enclosure

**Table 1: Shared Priorities for 2017/18**

<b>Project</b>	<b>Description</b>	<b>Anticipated Completion Date</b>	<b>Lead Agency</b>
Driver Fitness/Cognitive Assessments	Changes to the delivery of these services	2017/18	Ministry of Public Safety and Solicitor General
Administrative Driving Penalties & Vehicle Impounds	Replacement of legacy system	2017/18	Ministry of Public Safety and Solicitor General
Gender Display for Non-Binary Transgender Individuals on DL and BC Services Card	ICBC is pursuing an interim “X” gender solution for BC driver’s licences, BC identification cards, and BC Services Cards	2017/18	Ministry of Citizens’ Services and Ministry of Health
Road Safety Initiative Pilot	Online Payments and E-ticketing; Phase 2 planning	2017/18	Ministry of Public Safety and Solicitor General
BC Services Card (Phase II)	Integration of BC CareCard with Driver Licensing production	2017/18	Ministry of Citizens’ Services and Ministry of Health
BC Services Card (On-boarding of new services)	Adding capability to BCSC cards for accessing additional services	2018/19	Ministry of Citizens’ Services and Ministry of Health
IRP Monetary Penalties – Accounts Receivable	System changes to enable ICBC to recognize outstanding debt from Immediate Roadside Prohibitions	2018/19	Ministry of Public Safety and Solicitor General
ICBC Financial Sustainability Measures	Work with the Province to implement initiatives to support the financial sustainability of ICBC	2018/19	Ministry of Attorney General
Expansion of Intersection Safety Camera (ISC) Program	Expansion of the current ISC Program to increase current cameras’ activation and implement speed activation.	2018/19	Ministry of Attorney General / Ministry of Public Safety and Solicitor General



Project	Description	Anticipated Completion Date	Lead Agency
Bill C-46 Legalizing Cannabis and Provincial Administrative Sanctions	Changes to provide for new offences relating to the legalizing of cannabis	2018/19	Ministry of Attorney General / Ministry of Public Safety and Solicitor General
FMEP Program	System changes to enable ICBC to cancel and refuse to issue a driver license	2018/19	Ministry of Attorney General
Road Safety Initiative Rollout	Online Payments and E-ticketing roll out	2018/19	Ministry of Public Safety and Solicitor General

**Table 2: Potential Projects that are currently under discussion and/or consideration**

Project	Description	Lead Agency
Affinity Plates/Specialty Licence Plates	Further expansion of Affinity Licence Plates (e.g. BC Parks)	Ministry of Attorney General
Canadian Driver Licence Agreement	2005 agreement signed by Canadian provinces that calls for compliance with common (CDLA) standards	Ministry of Public Safety and Solicitor General / Ministry of Attorney General
GLP-M (Graduated Licensing Program for Motorcycles)	Government may consider a renewed GLP-M program.	Ministry of Public Safety and Solicitor General
Tsawwassen First Nation (TFN) Violation Ticketing Scheme	TFN establishment of ticketing scheme under the TFN treaty to be addressed by adopting the Province's violation ticket provisions under the Offence Act.	Ministry of Attorney General
Collection of Vehicle Kilometers Travelled (VKT) Data	Climate Action Secretariat wants to secure long-term access to comprehensive VKT information to improve the BC Greenhouse Gas inventory and associated analysis and emission forecasting applications	Ministry of Environment
Service BC Decommission Mainframe	Implement a solution to services no longer provided by Service BC to ICBC on its mainframe	Ministry of Attorney General

**MINISTRY OF ATTORNEY GENERAL  
GAMING POLICY AND ENFORCEMENT BRANCH  
AND MINISTRY OF FINANCE**

**JOINT DECISION NOTE**

**PURPOSE:** For information and decision for the Honourable David Eby, QC, Attorney General and the Honourable Carole James, Deputy Premier and Minister of Finance

**ISSUE:** To provide information and suggest a strategic approach to addressing money laundering and tax evasion in British Columbia's real estate sector.

**SUMMARY:**

- The establishment of a task force to address money laundering and tax evasion in the real estate sector was an NDP election platform commitment. In November 2017, a Cabinet Submission was put forward to seek approval to implement this commitment.
- Upon review, the Priorities and Accountabilities Committee requested further work to  
s.12
- The Gaming Policy and Enforcement Branch (GPEB) was assigned to develop a work plan for a multi-agency response to the issue. GPEB has identified areas within government that are currently working on matters related to tax evasion and money laundering in the real estate sector, and has considered how existing work may be coordinated to address these specific issues.
- The Ministry of Finance has been participating in a federal, provincial and municipal housing working group. Core members of the working group are Canada, BC, Ontario, Vancouver, and Toronto – federal and provincial regulators have also participated in the group. Discussion has centered on a wide range of housing issues including money laundering, tax evasion, and other compliance issues. The Ministry of Finance is now working on potential legislative amendments to address challenges faced by the Royal Canadian Mounted Police (RCMP) and the Canada Revenue Agency (CRA) in fulfilling their compliance mandate.
- There is also ongoing intra and inter-governmental policy work underway to address certain vulnerabilities in the real estate sector; however, these may be tangentially related to money laundering and tax evasion. There is currently no strategic and coordinated approach addressing these issues across government. s.16  
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## BACKGROUND:

- The 2017 NDP election platform included a commitment to “...establish a multi-agency task force to fight fraud and money laundering in the BC real estate marketplace.”<sup>1</sup> Ministerial mandate letters outline accountabilities linked to this commitment:
  - The Minister of Finance was directed to “...*reduce tax fraud and money laundering in the B.C. real estate marketplace.*”<sup>2</sup>
  - The Minister of Municipal Affairs and Housing was directed to assist in “*address[ing] speculation, tax fraud and money laundering in the housing market.*”<sup>3</sup>

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<sup>1</sup> See p. 6 at <https://action.bcndp.ca/page/-/bcndp/docs/BC-NDP-Platform-2017.pdf>

<sup>2</sup> See p. 2 at <https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet-mlas/minister-letter/james-mandate.pdf>

<sup>3</sup> See p. 3 at <https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet-mlas/minister-letter/robinson-mandate.pdf>

- In November 2017, the Ministry of Attorney General prepared a Cabinet Submission  
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- The Priorities and Accountabilities (P & A) Committee reviewed the proposal on  
November 2<sup>nd</sup> 2017 s.12  
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- The Deputy Attorney General requested GPEB to propose an approach and work plan  
for a multi-agency response to money laundering and tax evasion<sup>4</sup> in the real estate  
sector.

## **DISCUSSION:**

- There are three indicators of indicate jurisdiction's vulnerability to money laundering and tax evasion in the real estate sector, all of which are at play in the BC's real estate market: (1) opaque beneficial-ownership structures; (2) low compliance with reporting accountabilities, and; (3) opportunities to create complex, layered, and high-value transactions. Opaque beneficial ownership structures and opportunities to create complex, layered and high-value transactions are applicable to Canada as a whole and to each province in Canada (although the latter is accentuated in speculative and inflated housing markets). Low compliance with reporting accountabilities is likely much more prevalent in BC (and other provinces like Ontario). This is because significant housing price growth in those provinces has led to potentially large financial gains, which leads to speculative purchasing behaviour and can incent non-compliance with federal and BC reporting and tax obligations.

### **1. Opaque ownership structures**

- Individuals seeking to engage in money laundering or tax evasion can obscure beneficial-ownership over their assets. The beneficial owner is the individual or entity that actually owns the asset or is otherwise the primary beneficiary of the interest.
- Beneficial-owners may establish corporate entities or nominate other individuals to hold title over real estate assets in trust, obscuring the nature of their residential ties. This can mitigate liability for some domestic taxes or relevant tax liabilities in countries that

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<sup>4</sup> It is important to distinguish between tax avoidance (the legal use of the tax system to modify financial position to mitigate tax liability) and evasion (the illegal use of the tax system to avoid tax liability).  
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have entered a tax treaty with Canada. Opportunities to obscure beneficial-ownership are also relevant to money laundering operations, as illicit funds may be channeled through corporate entities or nominees before being invested in the real estate sector.

- A recent decision of the Supreme Court of British Columbia (*Fu v. Zhu*, 2018 BCSC 9) considered a civil dispute related to several real estate transactions in British Columbia. The case highlighted the willingness of various parties to use opaque beneficial-ownership structures to gain an economic advantage, including the evasion of capital restrictions in China, mitigation of domestic tax liability, and retention of favourable mortgage terms. The decision generated wide publicity for issues related to beneficial-ownership in British Columbia's real estate sector.
- Without robust beneficial-ownership disclosure requirements, government has limited means to collect and monitor beneficial-ownership information related to the real estate sector to assist in anti-money laundering and tax compliance initiatives.

## **2. Non-compliance with reporting requirements**

- Under the federal *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (PCMLFTA), certain "reporting entities" (which include real estate developers, brokers, and sales representatives) must file large cash transaction reports with the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC) in some circumstances.
- There is evidence that the real estate sector has low compliance with this reporting requirement. Between 2012 and June 2016, FINTRAC found "significant" deficiencies in the practices at 468 of 823 Canadian real estate firms surveyed (57%) and "very significant" deficiencies at 28 (3.4%).
- Low compliance diminishes FINTRAC's ability to pursue cases of potential money laundering, and may signal that Canada's real estate sector is a low-risk vehicle for money laundering operations

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### 3. Complex, layered, and high-value transactions

- Real estate transactions are often complex and require specialized intermediaries for services such as real estate brokerage, conveyance, and financial services. The use of various intermediaries increases vulnerability to money laundering and tax evasion.
- This vulnerability is accentuated in speculative and inflated markets – the potential to structure complex transactions in high-value assets make the sector an attractive site for money laundering and tax evasion.
- A review of money laundering investigations found that 50 percent of cases involved lawyers, and 38 percent involved real estate agents.<sup>5</sup>
- Real estate agents and brokers are required to report large cash transactions to FINTRAC. It is generally the case that lawyers (and mortgage brokers) handle money transactions and are therefore more likely to encounter the types of situations that FINTRAC is concerned about under its reporting framework.
- However, there is evidence of low compliance with this requirement across Canada. While lawyers were once designated as a reporting entity under the PCMLTFA, a 2015 decision at the Supreme Court of Canada struck down the reporting requirement for the profession on the grounds that it may compromise solicitor-client privilege.<sup>6</sup>

#### Relevant policy initiatives

- Ministry of Finance has been participating in a cross-government working group on a range of housing issues. The core membership includes the governments of Canada, British Columbia, Ontario, and the cities of Vancouver and Toronto. Topics have included money laundering, tax policy, information sharing, and the national housing strategy.

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<sup>5</sup> The investigations were conducted by the Royal Canadian Mounted Police (RCMP). See: Schneider, S. (2004). *Money Laundering in Canada: An Analysis of RCMP Cases*. Nathanson Centre for the Study of Organization Crime and Corruption.

<sup>6</sup> Canada (Attorney General) v. Federation of Law Societies of Canada. 2015 SCC 7

- The Ministry of Finance is also currently engaged in work related to beneficial-ownership disclosure rules in BC, which includes:
  - Leading work with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) and the Land Title and Survey Authority (LTSA) regarding options to amend the *Land Title Act* to require disclosure of beneficial interest in land;
  - Leading work with the Ministry of Citizen's Services regarding proposals for improved transparency rules in the corporate registry, and;
  - Participating in the federal-provincial-territorial (FPT) "Working Group on Improving Beneficial Ownership Transparency in Canada," convened to develop proposals to improve the availability of beneficial-ownership information across Canada through coordinated legislative changes to business incorporation acts (federally and in all provinces). In December, 2017, federal/provincial/territorial Ministers of Finance reached an agreement and announced they each intend to table legislative changes by July 1, 2019 to ensure corporations hold accurate and up to date information on beneficial owners that will be available to law enforcement, tax and other authorities.<sup>7</sup> This is an interim step until a complete set of coordinated legislative amendments can be developed and tabled by all governments in Canada to require the disclosure of beneficial ownership with corporate registries.
- The Government of British Columbia has limited options to unilaterally address tax evasion concerns, as the Canada Revenue Agency (CRA) has the bulk of auditing authority. However, the Ministry of Finance has developed a list of amendments to British Columbia's statutes designed to help address tax evasion and improve tax compliance.
- Real estate licensees and brokerages are licensed under the *Real Estate Services Act* (RESA). Under RESA, the Superintendent of Real Estate has the power to establish rules of professional conduct which are administered by the Real Estate Council of BC (RECBC).

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- GPEB also identified that the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) and the Ministry of Citizen's Services are each engaged in policy work relevant to vulnerabilities to money laundering and tax evasion in the real estate sector.

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<sup>7</sup> See the news release, backgrounder and agreement at the following links: <https://www.fin.gc.ca/n17/17-122-eng.asp>; [https://www.fin.gc.ca/n17/data/17-122\\_3-eng.asp](https://www.fin.gc.ca/n17/data/17-122_3-eng.asp); [https://www.fin.gc.ca/n17/data/17-122\\_4-eng.asp](https://www.fin.gc.ca/n17/data/17-122_4-eng.asp)



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### **NEXT STEPS**

- While Ministry of Finance has been participating in a cross-government working group on housing issues and there is a range of ongoing intra and inter-governmental policy work currently being pursued to address certain vulnerabilities, government currently does not have the ability to provide strategic oversight to achieve coordination across ministries and relevant policy areas.

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## APPENDIX D: Contact information for Key Business Areas within the BC Government

Ministry/ Agency	Branch	Task/ area	Contact
Ministry of Attorney General	Gaming Policy and Enforcement Branch	Money laundering in the gaming sector.	Michele Jaggi-Smith Executive Director, Strategic Policy and Projects Division Michele.JaggiSmith@gov.bc.ca
Ministry of Public Safety and Solicitor General	Policing and Security Branch	Providing information on law enforcement resources and implications with respect to anti-money laundering	Wayne Rideout Executive Director, Serious & Organized Crime Initiatives Wayne.Rideout@gov.bc.ca
Ministry of Finance	Financial and Corporate Sector Policy Branch	<p>Pursuing transparency in corporate governance (beneficial-ownership disclosure rules) with respect to the real estate sector.</p> <p>Participation in the FPT Working Group on Improving Beneficial Ownership Transparency in Canada</p> <p>Amendments to REDMA to add transparency to the market for assignment of pre-construction condominium purchase and sale agreements</p>	Joseph Primeau A/Executive Director Policy and Legislation Division Joseph.Primeau@gov.bc.ca
Ministry of Finance	Tax Policy Branch	<p>Participation in FPT Working Group on Improving Beneficial Ownership Transparency in Canada</p> <p>Participation in cross-government working group on a wide ranging set of housing issues</p>	Andrew Avis Strategic Advisor, Policy and Legislation Division andrew.avis@gov.bc.ca
Ministry of Municipal Affairs and Housing	Housing Policy Branch	Leading in the development of a provincial housing affordability strategy	Doug Page Director of Policy and Legislation Doug.Page@gov.bc.ca
Office of the Superintendent of Real Estate	N/A		Thomas Taller Managing Director, Policy and Oversight Office of the Superintendent of Real Estate <a href="mailto:thomas.taller@gov.bc.ca">thomas.taller@gov.bc.ca</a>

**MINISTRY OF ATTORNEY GENERAL  
JUSTICE SERVICES BRANCH  
BRIEFING NOTE**

**PURPOSE:** For DECISION by David Eby, QC, Attorney General

**ISSUE:** Direction on the scope and timing of amendments to the *Human Rights Code* for Fall 2018 legislative session.

**DECISIONS REQUIRED/RECOMMENDATIONS:**

**Recommendation:** that MAG staff develop and consult on a single, comprehensive human rights legislative package <sup>s.13</sup>

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**SUMMARY:**

- Parliamentary Secretary Kahlon's report includes 25 recommendations on the re-establishment of a human rights commission and other amendments to the *Human Rights Code*, including a recommendation that the AG initiate consultations regarding the addition of "social condition" as a protected ground under the Code.
- Additionally, human rights stakeholders have identified other Human Rights Code amendments as priorities over the years, as described in Appendix 1.
- A Request for Legislation (RFL) is being drafted and a Treasury Board Submission <sup>s.13</sup>
- RFLs for the fall 2018 legislative session are due on March 15, 2018. <sup>s.13</sup>

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**BACKGROUND:**

**Kahlon Report**

- The Kahlon Report recommended that a commission take the lead on education, research and recommendations related to systemic discrimination.  
Recommendations specifically for the AG included:
  - Begin consultation and policy work to consider the addition of "social condition" as protected ground under the *Human Rights Code*.
  - Appoint a diverse human rights advisory council to ground the commission's work with "lived experience".
  - Enable the Commission to intervene in systemic discrimination disputes before the Human Rights Tribunal.
  - Extend the time limit for filing Human Rights Tribunal complaints to one year from the current six months in order to bring the Code in line with other Canadian jurisdictions' limitation periods for the filing of human rights complaints.

**Human Rights Code – additional amendments proposed by stakeholders**

- The Code has not been substantially amended since 2003. The ministry has kept a running list of potential amendments that fall into two categories: (1) minor and housekeeping amendments; and (2) amendments of moderate scope and controversy. Please see Appendix 1 for details.

**OPTIONS:**

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**OTHER MINISTRIES IMPACTED/CONSULTED:**

- Social Development and Poverty Reduction, Children and Family Development, Municipal Affairs and Housing, Mental Health and Addictions, Labour, Finance, Health, Indigenous Relations and Reconciliation.

**NEXT STEPS:**

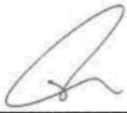
Key target dates for the Human Rights Commission and for amendments to the Code are as follows:

- TB submission approval, summer 2018;
- Legislation introduced in the House, fall 2018;
- s.13
- s.13

**RECOMMENDATION:**

Proceed with a single, comprehensive package of Human Rights Code amendments  
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**DATE:**

  
\_\_\_\_\_  
February 8, 2017

Richard J. M. Fyfe, QC  
Deputy Attorney General

**DATE:**

  
\_\_\_\_\_  
February 13, 2018

**RECOMMENDED OPTION APPROVED**

David Eby, QC  
Attorney General

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**Approved by:**  
Kurt Sandstrom QC  
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**Attachment(s)**

- 1) Possible *Human Rights Code* amendments
- 2) Implementing the Kahlon Report Recommendations

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## Appendix 2

### Implementing the Ravi Kahlon Report Recommendations

1. Policy development / research / consultations

a. Human Rights Commission legislative requirements (*completed*)

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c. Human Rights service model (*under way*)

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2. Draft RFL (*under way*)

3. Draft Treasury Board Submission, including costing (*under way*)

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4. HRC implementation target date:

a. TB submission approval, summer 2018;

b. Legislation introduced in the House, fall 2018;

c. s.13

d. s.13

**MINISTRY OF ATTORNEY GENERAL  
GAMING POLICY AND ENFORCEMENT BRANCH  
BRIEFING NOTE**

**PURPOSE:** For INFORMATION of David Eby, QC  
Attorney General

**ISSUE:** “Suspension” of the Information Sharing Agreement (ISA) between the British Columbia Lottery Corporation (BCLC) and Royal Canadian Mounted Police (RCMP) in fall 2015.

**BACKGROUND:**

**Responding to Media inquiry regarding “suspension” of the BCLC-RCMP ISA**

- In January 2018, BCLC released a Freedom of Information (FOI) request which included a document called *BCLC AML Chronology*.
- The chronology contains an entry near the end of 2016:

*“BCLC/RCMP ISA suspended on the request of GPEB without notice or consultation with BCLC. BCLC objected and consulted with RCMP who reinstated. However, the [redacted] between Nov. 2016 and Sep 2017 effectively crippling BCLC’s ability to proactively ban organized crime figures.”*

- Shortly afterwards a freelance reporter <sup>s.22</sup> submitted a media inquiry to BCLC questioning why the BCLC/RCMP ISA was suspended and why it resulted in crippling BCLC’s ability to ban certain patrons.
- BCLC submitted its response to <sup>s.22</sup> inquiry to the Government Communications and Public Engagement (GCPE) office for review. BCLC’s recommended response was for <sup>s.22</sup> to contact GPEB as it was BCLC’s understanding that GPEB caused the suspension.
- GCPE engaged GPEB to confirm BCLC’s response. GPEB responded that the chronology entry in question was factually incorrect – specifically GPEB was not aware of nor did it request the suspension of the BCLC-RCMP ISA during the November 2016 and September 2017 period.
- GPEB further indicated that although it did have discussions with the RCMP regarding the appropriateness of the BCLC-RCMP ISA in fall 2015, at no time did GPEB request the RCMP suspend its ISA with BCLC.
- GPEB and BCLC subsequently agreed upon the following response to the <sup>s.22</sup> media inquiry:

*“BCLC learned in October 2015 that our ISA with the RCMP had been suspended. RCMP communicated this to BCLC and indicated that GPEB proposed a new Memorandum of Understanding between GPEB and the RCMP instead of the ISA between BCLC and the RCMP. Subsequent discussions between the parties revealed that such a proposal had in fact not been made which led to a reinstatement of the ISA between BCLC and RCMP in November 2015.”*

- The General Manager of GPEB indicated to the BCLC CEO that the agreed upon response accurately reflected events, specifically

*“the emails indicate that GPEB certainly asked the RCMP about whether BCLC was the enforcement body with respect to the Gaming Control Act. It was the misunderstanding by the RCMP, including that an agreement with GPEB would replace the ISA with BCLC, that lead to the decision to suspend the ISA. I think the text above accurately reflects what BCLC was told by the RCMP and what GPEB asked the RCMP.”*

### **Chronology of events regarding the “Suspension” of the RCMP ISA**

- In September 2015, Len Meilleur, former Executive Director, Compliance, GPEB (hereafter, Meilleur) and Superintendent Sandro Colasacco, RCMP (hereafter, Colasacco) meet to discuss operational matters related to GPEB and RCMP, including a new GPEB-RCMP ISA.

- At this meeting, the BCLC-RCMP ISA was discussed. <sup>s.16</sup>  
s.16

- s.16

- Colasacco indicated he understood that the BCLC-RCMP ISA would be replaced by a yet to be developed ISA between GPEB and the RCMP.

- s.16

- In early October 2015, Meilleur consulted with the Ministry of Public Safety and Solicitor General’s Policing and Security Branch (PSB) regarding the ISAs related to regulatory enforcement between provincial bodies and the police. PSB recommended these types of ISA be between the enforcement body (in the case of gambling regulation, GPEB) and police.

- In mid-October 2015, the BCLC CEO contacted the General Manager of GPEB and expressed his concern regarding the “suspension” of the BCLC-RCMP ISA. <sup>s.16</sup>  
s.16

### Active GPEB information sharing arrangements with Law Enforcement bodies

- GPEB currently has four active ISAs with law enforcement bodies:
  - MOU with the RCMP (2017) - The purpose of this MOU is to ensure the mutual sharing of all significant and required information for the Ministry (specifically GPEB) and the RCMP to each carry out its respective duties relating to *Gaming Control Act* offences, *Criminal Code* offences associated with lottery schemes, and any other matter that may affect the integrity of gaming.
  - MOU with Financial Transactions and Reports Analysis Centre of Canada (FINTRAC) (2016) - This MOU establishes a framework for sharing information between FINTRAC and GPEB in order to minimize any potential duplication or overlap of work given their common interest for combating money laundering and terrorist activity financing, and to minimize the impact on casinos regulated by GPEB of their respective activities in this regard.
  - MOU National Integrated Interagency Information (N-III) Centre (2011) - This MOU allows GPEB to access and use information stored in databases maintained by the federal, provincial and municipal government for purposes related to the law enforcement *mandate* of GPEB.
  - JUSTIN Electronic Access Agreement (with PSSF Court Services) – This agreement provides GPEB investigative staff with online access to JUSTIN, a secure web-application that provides integrated case-tracking functionality to support criminal case processing in British Columbia. The application provides a common, province-wide database of criminal cases.

See attachment 1 for copies of these 4 agreements.

**Prepared by:**

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**Approved by:**

John Mazure  
Assistant Deputy Minister  
Gaming Policy and Enforcement Branch

s.17

Page 34 to/à Page 45

Withheld pursuant to/removed as

s.16



Page 46

Withheld pursuant to/removed as

s.16;s.15

Page 47 to/à Page 67

Withheld pursuant to/removed as

s.16

**MINISTRY OF ATTORNEY GENERAL  
LIQUOR DISTRIBUTION BRANCH  
BRIEFING NOTE**

**PURPOSE:** For INFORMATION for David Eby, QC  
Attorney General

**ISSUE:** Can sizes for single-unit beer sold in BC Liquor Stores (BCLS)

**SUMMARY:**

- Currently, it is BCLS practice to restrict the can size for most single-unit beer sold in stores. Single-unit beer can only be sold in sizes of 500 mL or more.<sup>1</sup>
- A number of stakeholders, including Canada's National Brewers (CNB)<sup>2</sup>, Brewers Distributor Ltd. (BDL)<sup>3</sup> and the BC Craft Brewer's Guild, are supportive of BCLS removing this restriction and allowing all single-unit beer to be listed and sold in 473 mL sizes.
- After consideration, BCLS will be removing the current restriction such that BCLS will consider all can sizes when determining which single-unit beers to list for sale. Note that this does not mean that 473 mL single-unit beers will automatically be listed for sale in BCLS – rather, it means that BCLS will now be able to consider can sizes other than 500 mL for all single-unit beers.

**BACKGROUND:**

History of practice

- As mentioned earlier, single-unit beer in BCLS can generally only be sold in sizes of 500 mL or more.
- This practice was originally adopted to address the issue of BCLS customers breaking open a case of beer to purchase one or two cans or bottles when the supply of single cans on the shelf was sold out.
  - This caused a significant inventory control/tracking issue, and also posed a health concern because for some products, it was difficult to see if it had been tampered with.
- The 500 mL size was selected because it was decided that single-unit beer would be limited to a can size that was not offered in a case configuration by suppliers, and at the time, cans of 500 mL size or larger were not offered in case configurations.
  - For additional history, see Appendix A.

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<sup>1</sup> BCLS does list some products in single-unit cans of less than 500 mL, but this typically applies to unique, higher-end products with higher price points. These products are usually import products.

<sup>2</sup> CNB is a trade association that primarily represents the interests of Molson and Labatt. Note that CNB's Vice President recently contacted the ADM of LCLB about this issue, reinforcing their support of BCLS removing this restriction.

<sup>3</sup> BDL is a private joint venture company owned by Molson and Labatt, for the wholesale distribution of beer and the collection of returnable, refillable and recyclable beer containers.

- It should be noted that this specifically affects the *listing* of products for sale in BCLSs. It does not affect whether or not a product will be registered for sale in BC by LDB Wholesale Operations – manufacturers are permitted to register, and other liquor retailers are permitted to sell, single-unit beer in can sizes other than 500 mL.
- Currently, 500 mL cans are only available for purchase from Europe. This means that if a brewery wants to sell single-unit beer in BCLS specifically, they must get their cans from Europe, which is costly and not environmentally-friendly.
  - In comparison, 473 mL cans are available for purchase within North America.
- In terms of can sizes and packaging types, in BCLS 355 mL cans are most commonly found in six-packs and 473 mL cans are most commonly found in four-packs.
- See Appendix B for a list of BC breweries that will have single-unit 500 mL cans available for sale in BCLS, starting in April.

#### Change to practice

- BCLS will be removing the current restriction such that BCLS will consider all can sizes when determining which single-unit beers to list for sale.
- This is likely to be well-received by brewers as it provides them with another packaging option and they will likely realize substantial savings from no longer having to purchase cans from Europe. These savings may also be passed on to the end consumer.
- For BCLS, this will level the playing field, since private retailers do not have similar can size restrictions. This could also result in more choice for BCLS customers, particularly if more breweries participate in the single-unit beer market due to this change.<sup>4</sup>
- Some stakeholders may be unhappy, particularly if they changed their business operations or made investments as a result of current BCLS practice.
- There is also a risk that customers will break open a case of beer or a four-pack if the supply of single cans on the shelf is sold out (as has been the case in the past). However, BCLS feels that the risk is quite low and something they will be able to manage.

#### **NEXT STEPS:**

- In the next week, BCLS plans to send a communication out to industry, including the BC Craft Brewers Guild and CNB, informing them of this change.
- From March 1 until March 31, BCLS will accept applications for products in 473 mL cans. The LDB's Merchandising team will consider applications during the month of April, which means that products will be on BCLS shelves in June.
- BCLS anticipates that there will be breweries that will be able to meet these timelines. Breweries will also be informed that this is the first call for products in these can sizes, and that this is a permanent change in BCLS practice so if they are

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<sup>4</sup> For example, there are some breweries that currently use 473 mL cans that may be interested in listing single-unit beers in BCLS.

not able to meet the deadline for this first invitation for listings, they will have other opportunities in the future.

**OTHER MINISTRIES IMPACTED/CONSULTED:**

- N/A

**Prepared by:**

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**Approved by:**

Blain Lawson  
General Manager and CEO  
BC Liquor Distribution Branch  
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**Attachment(s):**

Appendix A: Additional history on BCLS practice re single-unit beer

Appendix B: List of BC breweries with single-unit 500 mL cans available for sale in BCLS

## **Appendix A**

### **Additional history on BCLS practice re single-unit beer**

- Approximately 10 years ago, there was a BC manufacturer (Tree Brewing) that invested in a canning line that had the ability to fill 500 mL cans, among other can sizes. They made this investment after asking if BCLS would list 500 mL cans from them if they were able to produce them. BCLS agreed to list a few SKUs.
- The manufacturer also asked if BCLS had any plans to change its practice in the near future. The response given was that as far as they could tell, there were no plans to change the practice.
- Recently, BCLS discussed the question of removing this restriction with the BC Craft Brewers Guild, who was supportive. At the time, Tree Brewing was a member of the Guild, and still is a member, according to the Guild's website.
- After conversation with the Guild and other craft brewers, BCLS listed a few SKUs in 473 mL single-unit can sizes. However, Tree Brewing was unhappy as they had invested in 500 mL cans based on BCLS practice.
- As a result, BCLS was directed to return to its practice of restricting single-unit can sizes in stores, and have been enforcing the restriction ever since.
- Note that Tree Brewing currently has a few SKUs listed in BCLS.

## **Appendix B**

### **List of BC breweries with single-unit 500 mL cans available for sale in BCLS (starting April 2018)**

- Steamworks (three SKUs)
- Parallel 49 (two SKUs)
- Tree Brewing (three SKUs)
- Whistler Brewing Co. (one SKU)
- Sleeman (one SKU)
- Stanley Park (three SKUs)



## BRIEFING NOTE

CLIFF #546724

**Prepared for:** Hon. David Eby, Q.C. Attorney General and Minister responsible for ICBC, for INFORMATION

**Subject:** Distracted Driving Technology Pilot status update

### **Background:**

- On November 28, 2017, ICBC announced that, starting in the New Year, it would be piloting the most promising technology to address distracted driving.
- Despite relatively high penalties, enforcement and public awareness campaigns, distracted and inattentive driving continues to be the second leading contributing factor in fatal crashes and the leading factor in police-reported injury crashes in BC.
- While the effectiveness of existing technology is not yet clear, pilot projects will improve understanding of how certain technologies can help reduce distracted driving.
- In April 2017, ICBC issued a Request for Information (RFI) on B.C. Bid, inviting companies with products in market to provide ICBC with information.
- Based on the results of the RFI, ICBC is focussing on two types of technology: telematics-based apps and enforcement technology.

### Telematics-based apps: Usability and feasibility

- In Feb. 2018, ICBC partnered with two North American technology companies – Keeping Roads Safe (Halifax, N.S.) and CellControl (Baton Rouge, Louisiana) – to pilot distracted driving devices (telematics paired with phone apps).
- A select group of volunteer B.C. drivers (139) from across the province have been recruited from ICBC's customer advisory panel.
- In the coming weeks, pilot participants will receive the equipment and install a small telematics device in their vehicle, which is paired with an app installed on their phone. The app will block the handheld use of the phone when the in-vehicle technology senses that the vehicle is being driven.
- The apps will collect driving data, such as distance travelled per trip, speeding, hard acceleration, hard braking, and attempts to use the phone while driving.
  - The data will be stored in isolation on the technology partners' servers in Canada and be used solely to provide feedback to drivers in the form of reports.
  - The data will be destroyed after the pilot is complete. ICBC will not access this data during the pilot.
- Rather than collecting driving data from vehicles, ICBC is interested in understanding customer experience and acceptance of using this technology, which will be gathered through regular surveys of the participants.
  - For example, can participants easily adopt this technology? Do they feel the technology has had an effect on how safely they drive? Do they have concerns about privacy protection that would prevent long-term adoption of the technology?



## ICBC BRIEFING NOTE

- The pilot will last three months and participants will receive online surveys on a bi-weekly basis with a focus on user experience and acceptance with the telematics in their vehicle.
- The pilot will be completed by May 2018, and survey results will be reviewed to determine the potential value of a larger scale pilot to better understand the effectiveness of this technology in reducing crashes. <sup>s.13</sup>

- Total costs related to this project are estimated to be under <sup>s.13,s.17</sup>

### Technology to support distracted driving enforcement: Small scale trial

- The Lower Mainland District Integrated Road Safety Unit (LMD IRSU) will conduct a pilot to test new distracted driving scopes beginning March 2018. Two types of scopes, one Bluetooth-enabled and the other connected by Wi-Fi, will be the latest tools police will have on-hand to capture distracted driving.
- The total cost for the units is <sup>s.17</sup>
- No violation tickets for distracted driving will be issued during this pilot as these devices have not been used for distracted driving enforcement in B.C. The pilot will explore the usability and merit of these two devices for enforcement in the field and gather a baseline assessment to determine if these devices are candidates for further evaluation.
- Police agreements and evaluation framework are expected to be finalized and signed off on by the end of February. Devices will be provided to police in March for usability evaluation and training will follow. Testing will begin later in March and be complete by June 2018. A final report will be available in July.

### Future Action Plan

- Results from these pilots will be reviewed to determine next potential steps, <sup>s.13</sup>

**Contact:** Chris Tupper  
Manager, Policy and Partnerships  
(604) 982-1228

**Date:** February 21, 2018

**MINISTRY OF ATTORNEY GENERAL  
COURT SERVICES BRANCH  
BRIEFING NOTE**

**PURPOSE:** For INFORMATION for the Honourable David Eby, QC,  
Attorney General

**ISSUE:**

Considerations to determine whether to provide free access to the Court Services Online (CSO) – eSearch service at select Courthouse Libraries BC (CLBC) locations.

**SUMMARY:**

- CLBC is a non-profit society responsible for the provision of law library services in 29 courthouses across British Columbia.
- Funded by the Law Foundation of British Columbia and the Law Society of British Columbia, CLBC provides the public and the legal profession with free access to legal information.
- CLBC has asked Court Services Branch (CSB) about providing courthouse library patrons with free access to the CSO civil eSearch service in order to search files and view civil court documents at law libraries.
- There are many considerations in making a decision to pursue this strategy.

**BACKGROUND:**

- In 2012, as part of the ministry's initiatives to improve access to justice the CSB in conjunction with CLBC launched a joint initiative to look at providing courthouse library patrons with free access to the CSO civil eSearch service in order to search files and view civil court documents at law libraries.
- It was envisioned that this would also help reduce front counter requests and workload pressures for CSB while providing a value-added service to complement the CLBC's existing legal information services.
- At the time, a number of technical challenges hampered the implementation of the pilot project, namely IM/IT technical issues given the fact that the CLBC network is outside the government domain, which would require significant capital investment and effort to resolve access and security issues.

**DISCUSSION:**

s.13

s.13

- As illustrated above there are significant considerations that need to be undertaken and assessed prior to committing to this project.

- s.13

**OTHER MINISTRIES IMPACTED/CONSULTED:**

- Information Systems Branch (Needs Consultation)
- Corporate Management Services Branch (Needs Consultation)
- Judiciary (Needs consultation)

**Prepared by:**

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**Approved by:**

Lynda Cavanaugh  
Assistant Deputy Minister  
Court Services Branch

s.17

**MINISTRY OF ATTORNEY GENERAL  
JUSTICE SERVICES BRANCH  
BRIEFING NOTE**

**Advice to Attorney General**

This document contains information protected from disclosure by one or more of the following:

Implied Undertaking	[ ]
Solicitor-Client Privilege	[ ]
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Other (please specify) _____	[ ]

Disclosure of information in this BN may constitute an offence under an enactment, result in the waiver of privilege, prevent government from protecting the information from disclosure or result in a breach of an undertaking to the court.

**PURPOSE:** For DECISION of David Eby, QC  
Attorney General

**ISSUE:**  
Consultation on the *Lobbyists Registration Act*.

**DECISION REQUIRED/ RECOMMENDATION:**

**Option 1 (Recommended):** Include a link to the Attorney General's consultation letter, or to a summary of the letter, on the Civil Policy and Legislation Office and GovTogether BC websites, with a notice of the dates of the consultation.

Direction is required from the Attorney General on the membership of the targeted list of external stakeholders in Appendix 2.

**BACKGROUND:**

- As part of the comprehensive review of the *Lobbyists Registration Act* ("Act"), a targeted consultation will be undertaken from March 1 – April 15. It will include key stakeholders such as lobbyists' organizations, Registrars across Canada, civil interest groups and legal organizations.
- Government has publicly committed to a comprehensive review of the Act in 2018, and to consulting with the Registrar of Lobbyists, opposition parties, and interested individuals, for proposed introduction in fall 2018.
- Consultation with Green Party MLAs will occur through the CASA secretariat.
- Consultation with Liberal Party MLAs will be organized through the Minister's Office.
- A letter inviting external stakeholders to participate in the consultation has been prepared for the Attorney General's consideration which, if approved, will be sent out by electronic mail from the Assistant Deputy Minister, Kurt Sandstrom, to a targeted list of organizations (see Appendices 1 and 2).

- It is expected that the organizations will circulate the letter to their members to alert them to the consultation. Ministry staff plan to contact the groups for follow up, as necessary, after the letter has been sent.
- The list of organizations in Appendix 2 includes those who submitted comments during the Registrar's 2013 review of the Act.
- Some key interests, including interested media, are not members of the organizations and, therefore, will not be reached by the stakeholder letter.
- These individual stakeholders, as well as others that may be identified during the consultation process, could be contacted directly by ministry staff.
- It may be difficult to identify or reach these stakeholders without unintentionally missing others. Although there will not be a broad public consultation, this risk could be mitigated if the stakeholder letter or a summary of it were posted publicly to invite comment within the same timeframe (March 1 – April 15).

#### **DISCUSSION:**

- Direction is required on whether to include a link to the Attorney General's consultation letter, or a summary of the letter, on the Civil Policy and Legislation Office and GovTogether BC's website, with a notice of the consultation.
- Direction is required from the Attorney General on the membership of the targeted list of external stakeholders in Appendix 2.

#### **OPTIONS:**


**Option 1 (Recommended):** Include a link to the Attorney General's consultation letter, or to a summary of the letter, on the Civil Policy and Legislation Office and GovTogether BC websites, with a notice of the dates of the consultation.

s.13

**OTHER MINISTRIES IMPACTED/CONSULTED:**

- n/a

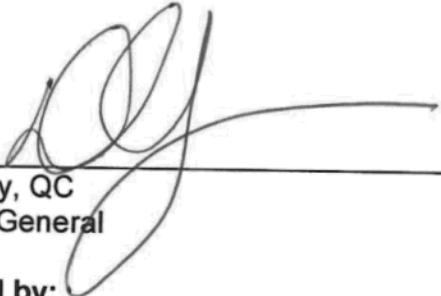
**DATE:**

  
\_\_\_\_\_  
Richard J. M. Fyfe, QC  
Deputy Attorney General

February 27, 2018

  
\_\_\_\_\_

**RECOMMENDED OPTION APPROVED  
APPENDIX 2 (TARGETED EXTERNAL  
STAKEHOLDER LIST)  
APPROVED / AMENDED**

  
\_\_\_\_\_  
David Eby, QC  
Attorney General

March 1, 2018

  
\_\_\_\_\_

**Prepared by:**  
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Assistant Deputy Minister  
Justice Services Branch  
250-356-0383

Cliff: 546829 x-ref 546875  
Date Prepared: February 23, 2018  
Date Decision Required: March 1, 2018

**Attachment(s)**

Appendix 1 – March 1, 2018 Attorney General letter to targeted external stakeholders.

Appendix 2 – List of targeted external stakeholders for Attorney General review.

## **Appendix 1 – March 1, 2018 Attorney General letter to targeted external stakeholders**

To whom it may concern:

I am writing to invite your organization to participate in the Government of British Columbia's review of the *Lobbyists Registration Act*.

Last fall, government introduced amendments to the *Lobbyists Registration Act* that will increase transparency in lobbying. The *Lobbyists Registration Amendment Act, 2017*, received Royal Assent on November 30, 2017. The amendments include a new, two-year prohibition on lobbying for former public office holders after their term of office has ended. The goal of this significant legislation is to enact a strong, sweeping prohibition so that former public office holders cannot unfairly use their insider knowledge and contacts to influence government policy on behalf of corporations or organizations. These amendments will come into force by regulation in spring 2018.

Government is now undertaking a comprehensive review of the *Lobbyists Registration Act*, including the mandate of the Office of the Registrar of Lobbyists, to ensure transparency and accountability, and to protect the integrity of the democratic institutions and the interests of British Columbians. As part of this review, government is seeking stakeholder comment on changes to the *Lobbyists Registration Act* recommended by the former Registrar of Lobbyists, Elizabeth Denham, in her January 21, 2013 report entitled "Lobbying in British Columbia: The Way Forward" and November 5, 2013 report entitled "Lobbying in British Columbia: Recommendations for Changes to the Lobbyists Registration Act". Any additional comments or concerns are also welcomed.

Please provide feedback by **April 15, 2018**, to the Policy and Legislation Division by electronic mail at [CPLD@gov.bc.ca](mailto:CPLD@gov.bc.ca), or by mail at:

Policy and Legislation Division  
Justice Services Branch  
Ministry of Attorney General  
PO Box 9222, Stn Prov Govt  
Victoria BC V8W 9J1

Thank you very much for taking the time to provide input on this very important initiative.

Yours truly,

David Eby, QC  
Attorney General



## **Appendix 2: Stakeholder List for *Lobbyists Registration Act* Consultation**

### **Registrars/Commissioners across Canada**

- Commissioner of Lobbying for Canada
- Registrar of Lobbyists, BC
- Office of the Ethics Commissioner, Alberta
- Registrar of Lobbyists, Saskatchewan
- Registrar of Lobbyists, Manitoba
- Integrity Commissioner as Lobbyists Registrar, Ontario
- Lobbyist Registrar, City of Toronto
- Commissaire au lobbyisme du Québec
- Office of the Integrity Commissioner for New Brunswick
- Registry of Lobbyists, Nova Scotia
- Commissioner of Lobbyists, Newfoundland and Labrador
- City of Ottawa Lobbyists Registry

### **Lobbyist Organizations**

- Government Relations Institute of Canada
- Public Affairs Association of Canada
- Public Affairs Association of Canada, BC Chapter
- Canadian League of Lobbyists

### **Civil Interest Groups**

- Integrity BC
- Democracy Watch Canada

### **Legal Organizations**

- Canadian Bar Association, BC Branch
- Law Society of BC